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DEPARTMENT OF FOREIGN AFFAIRS **CONFIDENTIAL** FILE No. 935/28/2

PART No. 5

OFFICE/POST

TITLE SPAIN
WESTERN SAHARA
(formerly SPANISH SAHARA)

RELATED FILES

FILE No.	TITLE

DATE COMMENCED 28-1-82

DATE FINISHED 15-6-83

PREVIOUS PAPERS
PART 4

SUBSEQUENT PAPERS
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FILE
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Subsequent correspondence on Part/File Number 6

935/28/2

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TO.
PP CANBERRA/5504

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RR PARIS EMB/1043 CAIRO/199 JEDDAH/134
RR ROME/252 MADRID/159 NAIROBI/78
RR UN NEW YORK/281 WASHINGTON/162

FM. ALGIERS /

R E S T R I C T E D

OAU SUMMIT: WESTERN SAHARA

FROM FILE 910/2/3

THE HOLDING OF THE OAU SUMMIT AND THE ADOPTION OF A RESOLUTION ON THE WESTERN SAHARA HAVE BEEN WELCOMED IN ALGIERS AS ''A VICTORY FOR AFRICA.'' THE ''VOLUNTARY AND PROVISIONAL'' WITHDRAWAL OF POLISARIO FROM THE SUMMIT APPEARS TO HAVE BEEN THE QUID PRO QUO FOR MOROCCO'S ACCEPTANCE OF THE INCLUSION OF A CALL FOR DIRECT NEGOTIATIONS WITH POLISARIO ON A CEASE-FIRE AND REFERENDUM. THE ADOPTION OF THE RESOLUTION SUGGESTS THAT THE DISPUTE IS ENTERING A NEW STAGE WHICH MAY PERMIT ALGERIA TO LOWER ITS PROFILE ON THIS ISSUE. THE SIGNS OF FLEXIBILITY SHOWN BY ALGERIA AND MOROCCO ARE ENCOURAGING EVEN IF THE DIFFICULTIES WHICH LIE AHEAD IN ANY NEGOTIATIONS THAT MAY BE INITIATED REMAIN FORMIDABLE. (RESTRICTED).

THE OUTCOME OF THE OAU SUMMIT HAS BEEN WELCOMED BY PRESIDENT CHADLI AS ''A VICTORY FOR AFRICA''. THE RESOLUTION ON THE WESTERN SAHARA WAS DESCRIBED BY POLISARIO AS ''A VICTORY OF REASON, RIGHT AND JUSTICE''. THE ALGERIAN MEDIA'S REACTIONS TO THE SUMMIT REFLECT CONSIDERABLE SATISFACTION THAT, DESPITE THE IMPASSE WHICH DELAYED THE OPENING OF THE MEETING, A COMPROMISE HAD BEEN FOUND WHICH ALLOWED THE SUMMIT TO CONVENE AND TO GO ON TO ADOPT WITHOUT OBJECTION A RESOLUTION ON THE WESTERN SAHARA CALLING FOR NEGOTIA- TIONS ON A CEASE-FIRE AND A REFERENDUM.

2. AS SEEN FROM HERE, ONE OF THE MAIN ACHIEVEMENTS OF ADDIS ABEBA SUMMIT SEEMS TO HAVE BEEN THAT, AFTER TWO ABORTIVE SUMMITS IN TRIPOLI, IT FINALLY MANAGED TO OVERCOME THE PROBLEMS POSED BY THE SEATING OF THE SADR (AND, TO A LESSER EXTENT, GUADDAFI'S ATTEMPT TO REVIVE THE ISSUE OF THE REPRESENTATION OF CHAD). IT WOULD SEEM THAT

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IN

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

D of C - for note for G-A Briefing

Mr Hawke Clerk 17/6

I hope all this means that the West Sahara issue will not be as irritant (for us) at UNGA 38. You will remember that we had undertaken to review our voting attitude.

Ke 17/6.

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THE ESSENTIAL COMPROMISE INVOLVED POLISARIO BEING PERSUADED TO AGREE TO WITHDRAW FROM THE SUMMIT IN RETURN FOR MOROCCAN AGREEMENT NOT TO OBJECT TO THE RESOLUTION IDENTIFYING THE TWO PARTIES TO THE CONFLICT AS BEING MOROCCO AND ''POLISARIO (THE RESOLUTION CONTAINS NO REFERENCE TO THE ''SADR'' AS SUCH). THE FORMULA USED TO COVER POLISARIO'S WITHDRAWAL WAS ESSENTIALLY THE ONE THAT HAD BEEN AGREED IN AN EFFORT TO GET THE TRIPOLI I SUMMIT OFF THE GROUND. IN ONE SENSE THE SAHARANS' FAILURE TO GET EXPLICIT SUMMIT ENDORSEMENT OF THE SADR'S ADMISSION AS A FULL MEMBER OF THE OAU WAS A REVERSE. HOWEVER, THE INCLUSION IN THE FINAL PARAGRAPH OF THE RESOLUTION OF A REFERENCE TO THE CONSTRUCTIVE ATTITUDE SHOWN BY ''THE SAHARAN LEADERSHIP'' IN ''VOLUNTARILY AND PROVISIONALLY WITHDRAWING'' FROM THE SUMMIT, IN FACT, APPEARS TO COME CLOSE TO AN IMPLICIT RECOGNITION BY THE MEMBERSHIP AT LARGE OF POLISARIO'S RIGHT TO HAVE BEEN SEATED.

3. FOR ALGERIA A SIGNIFICANT ACHIEVEMENT OF THE WESTERN SAHARA RESOLUTION WAS ITS EXPLICIT IDENTIFICATION OF MOROCCO AND POLISARIO AS THE ''PARTIES TO THE CONFLICT''. IT WAS THE REFUSALOF MOROCCO TO ACCEPT THAT INTERPRETATION OF THE EARLIER RECOMMENDA- TIONS OF THE OAU IMPLEMENTATION COMMITTEE THAT HAD CONTRIBUTED TO THE ORIGINAL MOVE TO FORCE THE SEATING OF POLISARIO IN THE OAU. MOREOVER, IT WAS MOROCCO'S REFUSAL TO ACCEPT THAT ITS DISPUTE WAS WITH POLISARIO AND NOT WITH ALGERIA THAT HAS BEEN THE POINT AT ISSUE IN SUCCESSIVE UNITED NATIONS DEBATES. THUS, THE CALL FOR DIRECT NEGOTIATIONS BETWEEN THESE TWO NAMED PARTIES, AND THE PLACING OF A SIX MONTH TIME LIMIT ON NEGOTIATIONS ON A CEASE-FIRE AND A REFEREN- DUM, BOTH APPEAR TO AMOUNT TO SIGNIFICANT CONCESSIONS BY THE MOROCCAN SIDE. FOREIGN MINISTER BOUCETTA REPORTEDLY EXPRESSED RESERVATIONS CONCERNING THE RESOLUTION AND, OF COURSE, IT REMAINS TO BE SEEN WHETHER NEGOTIATIONS WILL BE INITIATED LET ALONE PRODUCE RESULTS WITHIN THIS TIME FRAME.

4. ONE POSSIBLE CONSEQUENCE OF THE ADOPTION OF THE RESOLUTION IS THAT IT MAY ALLOW ALGERIA, IF IT SO WISHES, TO ADOPT A SOMEWHAT LOWER PROFILE ON THE WESTERN SAHARA DISPUTE. THERE ARE GROUNDS FOR THINKING THAT, WHILE RETAINING THEIR COMMITMENT TO THE PRINCIPLE THAT THE SAHARANS MUST BE ALLOWED A GENUINE ACT OF SELF-DETERMINATION, THE ALGERIANS MAY BE LESS EXERCISED THAN THEY WERE ABOUT SECURING ANY PARTICULAR OUTCOME. IT MIGHT WELL SUIT ALGERIA'S INTEREST IN FURTHER DEVELOPING THEIR RELATIONS WITH MOROCCO TO SEE DIRECT NEGOTIATIONS TAKING PLACE BETWEEN MOROCCO AND POLISARIO, UNDER THE AUSPICES OF THE IMPLEMENTATION COMMITTEE, WITHOUT DIRECT ALGERIAN INVOLVEMENT. HAVING SUCCEEDED IN LEADING MOROCCO AND POLISARIO TO THE NEGOTIATING TABLE (IF THAT IS HOW THINGS TURN OUT) ALGERIA MAY WELCOME THE CHANCE OF GETTING ITSELF OFF THE HOOK ON WHICH IT HAS BEEN CAUGHT SINCE PRESIDENT BOUMEDIENNE FIRST EMBRACED THE POLISARIO CAUSE. SUCH A ROLE MAY ALSO ALLOW ALGERIA FREER REIN TO EXERCISE ITS NOT INCONSIDERABLE TALENTS FOR MEDIATION.

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5. WHILE THE LATEST OAU WESTERN SAHARA RESOLUTION IS CLEAR ENOUGH ON PRINCIPLES, IT IS LESS SPECIFIC THAT THE EARLIER RECOMMENDATIONS OF THE OAU IMPLEMENTATION COMMITTEE ON HOW THOSE PRINCIPLES ARE TO BE IMPLEMENTED. ALL THE QUESTIONS RELATING TO THE IDENTIFICATION OF THOSE WHO SHOULD BE ENTITLED TO PARTICIPATE IN A REFERENDUM, HOW TO ENSURE A FREE VOTE IN AREAS UNDER MOROCCAN (OR ALGERIAN?) ADMINISTRATION, THE ROLE OF THE UNITED NATIONS, ETC. STILL REMAIN TO BE WORKED OUT. WHAT SEEMS TO BE NEW IS THAT THE OAU FINDS ITSELF IN A POSITION TO CALL UNANIMOUSLY AND UNAMBIGUOUSLY FOR NEGOTIATIONS ON A CEASE-FIRE AND REFERENDUM AND THAT THE BEHAVIOUR OF BOTH ALGERIA AND MOROCCO LEAVES ROOM FOR BELIEVING THAT BOTH COUNTRIES MAY YET BE PREPARED TO BE SOMEWHAT MORE FLEXIBLE. BUT THE PRACTICAL DIFFICULTIES THAT LIE AHEAD IN THE NEGOTIATIONS ARE AS FORMIDABLE AS EVER.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER — FOREIGN MINISTER — MIN DEFENCE
DEP DEFENCE — DEP P M AND CABINET — JIO

ACTION: SAM — JCAA

SEC	DEPSEC-A	DEPSEC-B	LA	MCO	PA
FAS(SEP)	NZ	FAS(EANA)	EUR	CN	EX
DPR	ISPP	FAS(IRSAM)	IO	FAS(ECO)	
FAS(LC)	IL	AR	FAREP-M	FAREP-P	
FAREP-S					

ACCRA DAR ES SALAAM HARARE LAGOS LONDON LUSAKA MOSCOW PEKING PRETORIA

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TOR 21.29 02.06.83

O.AL7052 1630 1.6.83 CLA

TO.
PP CANBERRA/5478

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RR ACCRA/35 CAIRO/197 CAPETOWN/02
RR DAR ES SALAAM/30 HARARE/17 LONDON/579
RR LUSAKA/21 NAIROBI/77 PARIS EMB/1052
RR PRETORIA/12 WASHINGTON/159

FM. ALGIERS / REF O.NA18829

C O N F I D E N T I A L

OAU SUMMIT: MAGHREB ATTITUDES

THE FAILURE OF THE ALGERIAN INITIATIVE TO CONVENE A MAGHREB SUMMIT HAS TEMPORARILY SET BACK EFFORTS DEVOTED AT GETTING AN AGREED APPROACH TO THE WESTERN SAHARA PROBLEM. BUT HIGH LEVEL CONTACTS BETWEEN ALGERIA AND MOROCCO ARE CONTINUING. ALGERIA HAS BEEN LOBBYING AGAINST POST-PONEMENT AND IN FAVOUR OF FULL ATTENDANCE AT THE SUMMIT. TUNISIA HAS COME AROUND TO THE SAME VIEW. WHILE IT SEEMS UNLIKELY THAT HASSAN WOULD GO TO ADDIS ABABA, A MOROCCAN DELEGATION SEEMS LIKELY TO ATTEND. SADR SAYS THAT IT HAS BEEN INVITED AND WILL ATTEND BUT BLACK AFRICAN AMBASSADORS ACCREDITED HERE SAY THAT PROBLEMS OVER SEATING THE SADR CANNOT AGAIN BE ALLOWED TO OBSTRUCT THE HOLDING OF THE SUMMIT. IT IS ASSUMED THAT MOROCCO COULD NOT IN ANY EVENT PREVENT A FORUM BEING FORMED. THERE IS A NOTE OF URGENCY AS WELL AS NEW EMPHASIS ON THE INTEREST THAT ALL THE COUNTRIES OF THE MAGHREB HAVE IN ACHIEVING A POLITICAL SOLUTION TO THE WESTERN SAHARA PROBLEM. (CONFIDENTIAL)

THE FAILURE OF THE ALGERIAN INITIATIVE TO CONVENE A MAGHREB SUMMIT AROUND THE VISIT OF PRESIDENT BOURGUIBA TO ALGIERS HAS BEEN A TEMPORARY SET BACK TO THE EFFORTS THAT WERE BEING DIRECTED AT SECURING AN AGREED APPROACH TO THE HANDLING OF THE WESTERN SAHARA PROBLEM, INCLUDING THE HANDLING OF THE ISSUE AT THE OAU SUMMIT. COMMENTS BY SENIOR OFFICIALS AND THE FACT THAT THE ALGERIANS ALLOWED NEWS OF THE PROPOSED MINI-SUMMIT TO LEAK OUT SUGGESTED THAT THEY HAD A HIGH DEGREE OF CONFIDENCE THAT KING HASSAN WOULD IN FACT COME TO ALGIERS. HIS FAILURE TO DO SO SUGGESTS THAT HASSAN HAD SECOND THOUGHTS. NEVERTHELESS, AS INTERIOR MINISTER YALA'S RECENT VISIT TO RABAT INDICATES, HIGH LEVEL CONTACTS BETWEEN ALGERIA AND MOROCCO ARE CONTINUING.

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2. ACCORDING TO THE TUNISIAN AMBASSADOR, HASSAN'S DECISION NOT TO COME TO ALGIERS HAD MORE TO DO WITH MOROCCO'S STRAINED RELATIONS WITH MAURITANIA, AND MORE PARTICULARLY WITH HASSAN'S PROBLEMS WITH GUADDAFI, THAN WITH RELATIONS BETWEEN ALGERIA AND MOROCCO. NOTWITHSTANDING THE ABSENCE OF DIPLOMATIC RELATIONS BETWEEN RABAT AND ALGIERS, HE THOUGHT THAT MOROCCO'S RELATIONS WITH ALGERIA WERE NOW IN BETTER SHAPE THAN THOSE WITH MAURITANIA. THE TUNISIAN AMBASSADOR CONFIRMED THAT THERE HAD BEEN TALK DURING THE BOURGUIBA VISIT OF A FURTHER EFFORT TO RECONVENE A MAGHREB SUMMIT, POSSIBLY LATER IN THE SUMMER, PROBABLY IN TUNIS.

3. THE ALGERIANS ARE PLAYING THEIR USUAL CLOSE HAND WITH REGARD TO THE OAU SUMMIT. HOWEVER, INFORMATION FROM AFRICAN COLLEAGUES HERE CONFIRMS THAT THE ALGERIANS HAVE BEEN EXERTING INFLUENCE IN AFRICAN CAPITALS TO SEE THAT THE SUMMIT IS HELD ON SCHEDULE AND THAT THERE IS AS LARGE A TURN-OUT AS POSSIBLE. WE UNDERSTAND FROM THE AMBASSADOR OF SENEGAL THAT TUNISIA HAD EARLIER URGED HIS COUNTRY TO AGREE TO A POSTPONEMENT, HAVING COME TO THE VIEW THAT MORE TIME WAS NEEDED TO WORK OUT A MAGHREB SOLUTION. SUBSEQUENTLY, WE UNDERSTAND, THE ALGERIANS PERSUADED THE TUNISIANS NOT TO PRESS FOR A POSTPONEMENT. THE COMMUNIQUE ISSUED ON 31 MAY FOLLOWING BOURGUIBA'S VISIT TALKS OF THE TWO PRESIDENTS ''EXPRESSING THEIR WISH TO DO EVERYTHING TO ASSURE THE SUCCESS OF THE SUMMIT''. ALGERIA HAD EARLIER INDICATED THAT IT PROPOSED TO REVIVE A 1970S PROPOSAL UNDER WHICH ALL FUTURE OAU SUMMIT MEETINGS WOULD BE HELD IN ADDIS ABEBA.

4. THE DECISION OF KING HASSAN NOT TO COME TO ALGIERS ADDS ADDITIONAL UNCERTAINTY AS TO WHERE THINGS NOW STAND BETWEEN THE MOROCCANS AND THE ALGERIANS. THE TUNISIAN AMBASSADOR DOES NOT EXPECT KING HASSAN TO GO TO THE ADDIS SUMMIT BUT HE EXPECTS THAT MOROCCO WILL BE REPRESENTED. WITH REGARD TO THE STANDING OF SADR (POLISARIO) HE NOTES THAT, WHEREAS POLISARIO HAS BEEN ADMITTED TO THE OAU AT THE LEVEL OF FOREIGN MINISTERS, THE SUMMIT HAS NOT YET TAKEN A DECISION ON THAT QUESTION. A NUMBER OF BLACK AFRICAN HEADS OF MISSION HERE, (INCLUDING ZIMBABWE WHICH HAS JUST ESTABLISHED DIPLOMATIC RELATIONS WITH THE SADR), BELIEVE THAT A FORMULA MUST BE WORKED AGAIN UNDER WHICH POLISARIO WILL NOT TAKE ITS SEAT, AT LEAST DURING THE DISCUSSION OF THE WESTERN SAHARA QUESTION. WE ALSO HAVE NOTED A FAIRLY STRONG FEELING AMONG BLACK AFRICAN HEADS OF MISSION THAT THE OAU CANNOT ALLOW THIS PROBLEM TO CONTINUE TO OBSTRUCT THE HOLDING OF THE SUMMIT AND THAT THE WESTERN SAHARA QUESTION MUST BE ADDRESSED AT ADDIS ABEBA. ON THE OTHER HAND THE SADR REPRESENTATION HERE ASSERTS THAT ''PRESIDENT'' ABDELAZIZ HAS RECEIVED AN OFFICIAL INVITATION TO THE SUMMIT AND THAT THE SADR WILL BE ATTENDING. THE ASSUMPTION HERE, PARTICULARLY SINCE THE RECENT DECISION OF THE WEST AFRICAN COUNTRIES TO PARTICIPATE IS THAT THERE WILL BE A GOOD ATTENDANCE AND THAT MOROCCO WOULD NOT BE ABLE TO MUSTER ENOUGH SUPPORT TO PREVENT A

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QUORUM BEING FOUND.

5. AS TO THE ALGERIAN POSITION ON THE IMPLEMENTATION COMMITTEES REPORT (PARA 6 OF REFTEL), WE CAN ONLY COMMENT THAT THE BOURGUIBA-CHADLI COMMUNIQUE NOTED THAT ''THE UNITY OF THE ARAB MAGHREB REQUIRES A JUST AND URGENT POLITICAL SOLUTION OF THE WESTERN SAHARA PROBLEM IN CONFIRMITY WITH THE RESOLUTIONS OF THE OAU MEETING HELD IN NAIROBI AND THAT SUCH A SOLUTION ''WOULD PERMIT ALL THE PEOPLES OF THE REGION TO DEVOTE THEIR EFFORTS, THEIR HUMAN POTENTIAL AND THEIR NATURAL RESOURCES TO COORDINATED AND GLOBAL DEVELOPMENT IN THE REGION''. THE EMPHASIS ON URGENCY, AS WELL AS ON THE INTERESTS OF THE OTHER COUNTRIES OF THE REGION (AND NOT JUST THE SAHARANS) IN A SOLUTION, REFLECTS A NEW TONE WHICH HAS ENTERED INTO THE WESTERN SAHARA DEBATE SINCE THE CHADLI-HASSAN MEETING LAST FEBRUARY.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER — FOREIGN MINISTER — MIN DEFENCE
DEP DEFENCE — DEP P M AND CABINET — JIO

ACTION: AWM — JCAA

SEC	DEPSEC-A	DEPSEC-B	LA	MCO	PA
FAS(SEP)	NZ	FAS(EANA)	EUR	CN	EX
DPR	ISPP	FAS(IAWM)	IO	FAS(ECO)	
FAS(LC)	IL	AR	FAREP-M	FAREP-P	
FAREP-S					

LAGOS MOSCOW PEKING UN NEW YORK

DEPARTMENT OF FOREIGN AFFAIRS
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TO.
PP GENEVA/8841

RP.
RR UN NEW YORK/1489 ALGIERS/8990 PARIS EMB/224
RR NAIROBI/3280
BB BERNE/5457

FM. CANBERRA / REF O.GE61591 F.GE066

C O N F I D E N T I A L

CHR 39 : ITEM 9 : WESTERN SAHARA

FROM FILE 935/28/2 929/34/9

WE HAVE DIFFICULTY WITH THE DRAFT RESOLUTION THIS YEAR, NOT SO MUCH BECAUSE OF SUBSTANCE BUT BECAUSE THE MATTER HAS BECOME MORE DIVISIVE IN AFRICA, THREATENING THE OPERATIONS OF THE OAU. WE WOULD HAVE LIKED A TEXT THAT COULD ATTRACT CONSENSUS, OR AT LEAST BROAD SUPPORT, IN THE COMMISSION, AND WHICH THEREBY MIGHT GIVE SOME BACKING TO AFRICAN COUNTRIES WHICH ARE GENUINELY SEEKING A SOLUTION. THIS HOWEVER IS TOO MUCH TO HOPE FOR IN LIGHT OF THE ATTITUDES OF THE PARTIES.

2. IN SUBSTANCE THE RESOLUTION OBVIOUSLY HAS A GOOD DEAL IN ITS FAVOUR AND A GOOD DEAL THAT ACCORDS WITH OUR POLICIES (E.G. ON SELF-DETERMINATION, CEASE-FIRE AND REFERENDUM). WE HAVE REVIEWED OUR POSITION IN LIGHT OF VARIOUS ARGUMENTS SUBMITTED, AND HAVE CONCLUDED THAT AT THIS TIME WE SHOULD REMAIN CONSISTENT WITH PAST PRACTICE, AND YOU SHOULD SUPPORT THE RESOLUTION.

3. YOU SHOULD MAKE A BRIEF EXPLANATION OF VOTE WHICH SETS OUT OUR DOUBTS AND PREFERENCE AS IN PARA 1 ABOVE.

ACTION: FOREIGN AFFAIRS
ONA

DEP ATTORNEY GENERAL DEP P M AND CABINET

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CONFIDENTIAL
FIRST

OUT

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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ACTION: IO

OGAC

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EX	DPR	ISPP	FAS(IAWM)	FAS(ECO)	
FAS(LC)	MLT	IL	AR		

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TOR 23.04 17.02.83

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TO.
RR CANBERRA/6403

RP.
RR LONDON/1468 LAGOS/978 ACCRA/548
RR DAR ES SALAAM/1244 PRETORIA/606 CAPETOWN/217
RR HARARE/469 UNNEW YORK/801 COPENHAGEN/035
RR LUSAKA/292

FM. NAIROBI / REF O.NA18097, 18066

R E S T R I C T E D

KENYA : VISIT OF UN SECRETARY-GENERAL AND OAU CONTACT COMMITTEE MEETING

FROM FILE 235/1 232/1/3

WHEN CALLING ON MR MAITHA, HEAD, UN DIVISION IN THE MINISTRY OF FOREIGN AFFAIRS, TO HAND OVER THE AIDE MEMOIRE ON ANTARCTICA, WE TOOK THE OPPORTUNITY TO DISCUSS THE ABOVE MENTIONED ISSUES.

2. MAITHA SAID THAT THE PRIMARY PURPOSE OF THE SECRETARY- GENERAL'S VISIT WAS TO EXCHANGE VIEWS ON CURRENT INTERNATIONAL ISSUES. NAMIBIA WAS, HOWEVER, THE MAIN TOPIC OF DISCUSSION. ACCORDING TO MAITHA BOTH THE SECRETARY-GENERAL AND PRESIDENT MOI WERE PARTICULARLY CRITICAL OF SOUTH AFRICA'S DELAYING TACTICS. THE PRESIDENT INDICATED TO THE SECRETARY-GENERAL THAT A LITTLE MORE PRESSURE FROM SOUTH AFRICA'S FRIENDS WOULD GO A LONG WAY IN RESOLVING THE DEADLOCK. MAITHA DID NOT IDENTIFY ''SOUTH AFRICA'S FRIENDS'' BUT NO DOUBT WAS REFERRING TO THE WESTERN CONTACT GROUP.

3. ON THE OAU WE UNDERSTAND PRESIDENT MOI BRIEFED THE SECRETARY-GENERAL ON THE PRESENT PROBLEMS FACING THE OAU. HE SINGLED OUT THE ADMISSION OF POLISARIO AS THE MOST PRESSING PROBLEM. HE SAID THAT THE MAIN AIM OF THE FORTHCOMING COMMITTEE OF TWELVE MEETING, SCHEDULED FOR 18 FEBRUARY IN NAIROBI, WILL BE TO TRY TO PERSUADE POLISARIO ONCE AGAIN TO ABSTAIN FROM ATTENDING THE THIRD ATTEMPT AT RECONVENING THE 19TH SUMMIT. THE COMMITTEE COMPRISES ANGOLA, CONGO, ETHIOPIA, KENYA (CHAIRMAN), LESOTHO, LIBYA, MALI, MOZAMBIQUE, NIGERIA, TANZANIA, UGANDA AND ZAMBIA.

4. MAITHA SAID THE MOST PROBABLE VENUE FOR THE 19TH SUMMIT WILL BE ADDIS ABABA. KENYAN GOVERNMENT WAS NOT OPPOSED TO THE MEETING BEING HELD IN NAIROBI,HOWEVER THE PARTICIPANTS WOULD THEN HAVE TO MEET

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THEIR OWN COSTS. IF THE MEETING IS HELD IN NAIROBI OR ADDIS ABABA MAITHA DID NOT FORESEE PROBLEMS WITH WHO SHOULD REPRESENT CHAD WHICH AROSE IN TRIPOLI. BOTH ETHIOPIA AND KENYA RECOGNISED HABRE AS THE DE FACTO REPRESENTATIVE OF CHAD. MAITHA THOUGHT QUADAFFI COULD BE PERSUADED TO ACCEPT HABRE AT A VENUE OUTSIDE TRIPOLI. HE HAD NO COMMENT ON THE QUESTION OF QUADAFFI'S CHAIRMANSHIP IF THE 19TH SUMMIT WAS HELD. WE HAVE AN APPOINTMENT WITH THE MINISTRY OF FOREIGN AFFAIRS NEXT WEEK AND WILL REPORT ON THE OUTCOME OF THE MEETING.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AWM

OGE
JCAA
JBAF

SEC DEPSEC-A DEPSEC-B PPU MCO PA
FAS(SEP) NZ FAS(EANA) EUR CN
FAS(EPPD) EX DPR ISPP DAC NP
FAS(IAWM) FAS(ECO) FAS(LC) IL AR
FAS(MFS) FAREP-M FAREP-P FAREP-S

ALGIERS CAIRO JEDDAH MOSCOW PARIS EMB PEKING WASHINGTON

IN
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IN

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O.GE61591 TJRO
TOR 04.45 05.02.83

O.GE61591 1755 4.2.83 CLA

TO.
PP CANBERRA/4375

RP.
RR UN NEW YORK/5371 ALGIERS/149 PARIS EMB/2292
BB BERNE/207

FM. GENEVA /

R E S T R I C T E D

CHR 39 : ITEM 9 : SELF-DETERMINATION : WESTERN SAHARA

FROM FILE 250/2/1/8

ACCOMPANYING FAX (F.GE066) CONTAINS THE TEXT OF A DRAFT RESOLUTION ON THE SITUATION IN WESTERN SAHARA WHICH WILL BE TABLED UNDER ITEM 9. IT HAS BEEN PROVIDED TO US BY ALGERIA ON THE BASIS OF OUR SUPPORT FOR SIMILAR RESOLUTIONS AT PREVIOUS SESSIONS OF THE COMMISSION. THE TEXT CLOSELY FOLLOWS THAT OF CHR RESOLUTION 1982/15, ADOPTED AT CHR 38 WITH AUSTRALIAN SUPPORT. IN ACCORDANCE WITH THE BRIEF WE ASSUME YOU WOULD WISH US TO SUPPORT THE DRAFT. ITS PRINCIPAL IMPORT IS CONTAINED IN OP PARA 2, WHICH FOR THE BENEFIT OF INFORMATION ADDRESSEES IS SET OUT BELOW.

''2. REITERATES ITS APPEAL TO THE TWO PARTIES TO THE DISPUTE, MOROCCO AND THE FRENTE POPULAR PARA LA LIBERACION DE DANGUIA EL-HAMRA Y DE RIO DE ORO (FRENTE POLISARIO), TO ENTER INTO DIRECT NEGOTIATIONS WITH A VIEW TO CONCLUDING A CEASE-FIRE, WHICH IS AN INDISPENSABLE PREREQUISITE FOR THE ORGANISATION OF THE REFERENDUM ON SELF-DETERMINATION''.

THIS IS SLIGHTLY MILDER THAN LAST YEAR'S TEXT, WHICH IN THE SAME CONTEXT ''URGES'' THE TWO PARTIES .... ETC.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

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DIPLOMATIC COMMUNICATIONS NETWORK
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ACTION: IO OGAC

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FAS(BP)	FAS(PTO)	PDC	MNGP		

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

DEPARTMENT OF FOREIGN AFFAIRS

0500/5

FACSIMILE MESSAGE

ence: PP

Time of Lodgement: 1630 4-2-83

F.GE 066

CSN 066

LASSIFIED

TO CANBERRA

FM GENEVA

ormation:
BB UN NEW YORK

FM FILE 250/2/1/8 TO FILE

REF. O.GE 61591 NO. OF PAGES 2

: Heading or Summary of Text:

CHR 39: ITEM 9: WESTERN SAHARA

Following is the text of the Algerian draft resolution on Western Sahara. Accompanying cable refers.

M- Bellingley.

Text appears milder than CHR 38 version. Given absence of any new facts (such as issue when trade off could arise), arguments set out in the Greek's letter of 26/11 would appear to remain valid. Indeed, by departing from previous pattern of voting, we could expose ourselves further on self determination issue (in which E. Timor already causes us some discomfort). Perhaps we could however seek amendment alleging last year (deleting "direct negotiations"). VHPO/2

AITES	Signature & Date	Dept/Section	Phone No.	No. of copies to be 5

MMISSION ON HUMAN RIGHTS
irty ning session
enda Item 9.

F.GE066/1

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION.

(Question of Western Sahara).

The Commission on Human rights

Guided by the purposes and principles of the Charter of the United Nations.

Bearingin mind the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant international instruments relating to human rights,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples , adopted by the General Assembly in resolution 1514 (XV) of 14 December 1960,

Conscious of its responsability to promote and encourage observance of human rights and fundamental freedoms for all,

Bearing in mind the profound concern of the United-Nations , the Organization of African Unity and the Movement of Non-Aligned Countries regarding the decolonization of Western Sahara and the right of the people of that territory to self-determination and independence,

Considering the relevant resolutions of the General Assembly on the question of Western Sahara , and particularly resolution 37/28 of 23 November 1982 and decision 37.411 of 23 November 1982,

YES.

Recalling the decision on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organiza-

.../...

F.GE066/2

tion of African Unity at it's eighteenth ordinary session, held at Nairobi, Kenya, from 24 to 27 June 1981,

[... to organize throughout the Territory of Western Sahara a general and free referendum on self-determination,]

Recalling the various decisions adopted by the Implementation Committe on Western Sahara of the Organization of African Unity concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

Recalling also resolutions 4 (XXXVI) of 15 February 1980, 12 (XXXVII) of 6 March 1981 and 15 (XXXVIII) of 25 February 1982 adopted by the Commission of Human Rights at its thirty-sixth, thirty-seventh and thirty-eighth sessions,

[Welcomes OAU Decision to hold referendum]

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independance in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), as well as with the relevant resolutions of the General Assembly and the Organization of African Unity,

2. [Reiterates] its appeal to [Urges] the two parties [in conflict] to the dispute, Morocco and the Frente Popular para la Liberacion de Sanguia el-Hamra Y de Rio de Oro (Frente Polisario) to enter into direct negotiations with a view to concluding a cease-fire, which is an indispensable [primary] prerequisite [condition] for the organization of the referendum on self-determination,

3. Decides to follow closely the developments of the situation in Western Sahara and to consider this question within the framework of the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" at its fortieth session, as a matter of high priority.

ENDS

F. GE 066

IN FACSIMILE - History Slip

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O.GE61591 1755 4.2.83 CLA

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R E S T R I C T E D

CHR 39 : ITEM 9 : SELF-DETERMINATION : WESTERN SAHARA

FROM FILE 250/2/1/8

ACCOMPANYING FAX (F.GE066) CONTAINS THE TEXT OF A DRAFT RESOLUTION ON THE SITUATION IN WESTERN SAHARA WHICH WILL BE TABLED UNDER ITEM 9. IT HAS BEEN PROVIDED TO US BY ALGERIA ON THE BASIS OF OUR SUPPORT FOR SIMILAR RESOLUTIONS AT PREVIOUS SESSIONS OF THE COMMISSION. THE TEXT CLOSELY FOLLOWS THAT OF CHR RESOLUTION 1982/15, ADOPTED AT CHR 38 WITH AUSTRALIAN SUPPORT. IN ACCORDANCE WITH THE BRIEF WE ASSUME YOU WOULD WISH US TO SUPPORT THE DRAFT. ITS PRINCIPAL IMPORT IS CONTAINED IN OP PARA 2, WHICH FOR THE BENEFIT OF INFORMATION ADDRESSEES IS SET OUT BELOW.

''2. REITERATES ITS APPEAL TO THE TWO PARTIES TO THE DISPUTE, MOROCCO AND THE FRENTE POPULAR PARA LA LIBERACION DE DANGUIA EL-HAMRA Y DE RIO DE ORO (FRENTE POLISARIO), TO ENTER INTO DIRECT NEGOTIATIONS WITH A VIEW TO CONCLUDING A CEASE-FIRE, WHICH IS AN INDISPENSABLE PREREQUISITE FOR THE ORGANISATION OF THE REFERENDUM ON SELF-DETERMINATION''.

THIS IS SLIGHTLY MILDER THAN LAST YEAR'S TEXT, WHICH IN THE SAME CONTEXT ''URGES'' THE TWO PARTIES .... ETC.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

.../2

IN
DEPARTMENT OF FOREIGN AFFAIRS
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IN

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ACTION: IO OGAC

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FAS(ECO) FAS(LC) MLT IL AR
FAREP-M FAREP-P FAREP-S DIR-ADAB
FAS(BP) FAS(PTO) PDC MNGP

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

CONFIDENTIAL

4 February 1983

I am glad that you have written about the Western Saharan issue (your letter of 28 January refers). The CHR briefing must have read rather oddly, I agree. Now that Charles Mott is in the chair in IO Branch, I have asked him to assume responsibility for the promised review. He will need to keep an eye on the CHR agenda, meanwhile, to ensure that we cope with the Western Saharan issue there in an appropriate fashion.

(R.J. Greet)
A/First Assistant Secretary
International Organisations,
Africa, West Asia, Middle
East Division.

Mr L.L.E. Joseph,
Minister and Deputy Permanent
Representative,
Australian Mission to the
United Nations,
NEW YORK.

CONFIDENTIAL

CABLE ADDRESS
AUSTUNAT, NEW YORK

TELEPHONE
212-421-6910

AUSTRALIAN MISSION TO THE UNITED NATIONS
885 SECOND AVENUE
NEW YORK, N.Y. 10017

CONFIDENTIAL

28 January 1983

Dear Ray,

You wrote to the Ambassador on 26 November in connection with the Western Sahara issue. The Mission had proposed a review of policy in advance of the next session of the Human Rights Commission. In your letter you confirmed the intention to undertake such a review.

In the light of this advice, I read with some concern the following passage relating to Western Sahara in the CHR brief (page 26).

> "With regard to the question of Western Sahara, we are again inclined to support a moderately worded Algerian text. The delegation should keep Canberra informed of developments and seek guidance on any texts...."

Let me clarify that it is not the Mission's contention that our position on Western Sahara is necessarily wrong, rather that we should not simply stumble into support for Algeria. In a sense the position is already compromised by what we did at the last CHR meeting and at UNGA 37. Nevertheless, it was the Ambassador's hope that the pros and cons could be carefully weighed. If the decision was to stick with the Algerians he hoped that we might be able to identify a suitable issue for which we should seek Algerian support. The quid pro quo angle was very much in his mind.

This concern with Western Sahara incidentally is not one which has arisen simply in the Woolcott era. It was also raised last year in David Anderson's annual review. The relevant extract from the review is attached. There was no subsequent comment from the Department.

Yours sincerely

(Lance Joseph)

Mr Holt

This is a matter on which IO Branch has some work to do. Would you please take it up. I have replied to Joseph.

da 3/2

Mr R.J. Greet,
First Assistant Secretary,
International Organisations,
Africa and Middle East Division,
Department of Foreign Affairs,
CANBERRA.

CONFIDENTIAL

On Puerto Rico and the TTPI, it probably serves our interest to be able to continue to help the Americans. This is an area where our support is most valued by them and represents an IOU to be cashed at a time and place of interest to us. Mrs Kirkpatrick's favourable impression of Australia derives largely from our help to the United States in the Fourth Committee. (This was an important reason leading to her personal intervention in support of the Ingram candidature within the United States Administration).

Australia's concern for self-determination has led us down a track favouring Algeria's position on Western Sahara. The Mission has never felt entirely comfortable with this position, which has left us in some odd company at times. Nor (with one or two exceptions) have we been satisfied that our support for Algeria has been adequately requited in other areas of United Nations activity of interest to us. Our support for Algeria against Morocco also sits oddly with a situation where Morocco, but not Algeria, generally supports positions that we favour on most of the other important political issues addressed in the United Nations, including Afghanistan and Kampuchea. At UNGA 36, Australia was able for fortuitous reasons to retreat to a more neutral position on Western Sahara, which brought us into line with the large majority of other WEOG states. We accordingly had reservations about the instructions to the CHR delegation last month that Australia should revert to a position of open support for Algeria. We believe that when the issue next surfaces in the Assembly our voting position will need very close and careful consideration. We should do well to ponder that Algeria has rarely shown much flexibility on the issue, or readiness to make adjustments to accommodate legitimate Western concerns.

Disarmament Issues

United States acceptance in the Committee on Disarmament of a working group on CTB is a positive development which should go some way to reduce United States isolation and generally improve the Western negotiating position in United Nations disarmament fora. The United States approach of limiting the working group to the issues of verification and compliance will no doubt come under pressure, in particular from the East Europeans. Nevertheless, the way is now clear for the CD to take up CTB issues in a serious and detailed way. It remains to be seen how this new development will affect Canada's initiative for implementation of existing control treaties (TTB and PNE) and moving on to further interim agreements as steps toward a full CTB. Both developments - United States acceptance of a working group and the Canadian initiative - are likely to influence Western positions at the June Special Session on Disarmament. They will also affect the approach to CTB at UNGA 37. This is a matter of significance for Australia since it is important that Australia continue to play its leading role in the First Committee in the preparation of the annual CTB resolution.

.../

935/28/2

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RR CAIRO/165 NAIROBI/62 ACCRA/21
RR LUSAKA/11 DAR ES SALAAM/16 HARARE/10
RR ROME/222 LAGOS/45

FM. ALGIERS /

U N C L A S S I F I E D

OAU : SADR PARTICIPATION

FROM FILE 910/3

IN A STATEMENT RELEASED IN ADDIS ABABA ON 20 DECEMBER 1982, MR HAKIM BRAHIM, THE SADR ''FOREIGN MINISTER'', ANNOUNCED THAT THE SADR WOULD ''ASSUME ALL ITS RIGHTS AND FROM NOW ON PARTICIPATE IN ALL OAU CONFERENCES AND MEETINGS AS A FULL MEMBER''.

2. MR HAKIM BRAHIM RECALLED THAT THE SADR HAD TAKEN THE INITIATIVE TO VOLUNTARILY AND TEMPORARILY ABSTAIN FROM THE PROCEEDINGS OF THE LAST OAU SUMMIT MEETING IN TRIPOLI. THE STATEMENT CONTINUED ''BELIEVING IN THE OAU AND ITS ROLE FOR THE TOTAL LIBERATION OF AFRICAN PEOPLE, THE SADR HAS DEMONSTRATED ITS CAPACITY TO FULLY ASSUME ITS RESPONSIBILITY FOR THE REINFORCEMENT OF AFRICAN UNITY AGAINST THE MANOEUVRES OF INTERIOR OR EXTERIOR ENEMIES OF AFRICA''.

3. IN AN APPARENT REFERENCE TO THE FAILURE OF THE SECOND TRIPOLI SUMMIT, MR BRAHIM SAID THAT THE HISTORIC INITIATIVE OF THE SADR HAD BEEN OBSTRUCTED BY THE OBVIOUS DESIRE OF THE USA AND MOROCCO TO DESTROY THE OAU IN ORDER TO IMPOSE THEIR ''COLONIAL PLAN''.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

.../2

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MOSCOW PEKING

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REF. M.O. ALG415 TO FILE. 921/15

FM. CANBERRA

CLASSIFICATION. UNCLASSIFIED FM. FILE. 935/26/2

SUBJECT. UNGA : WESTERN SAHARA

☑ Enclosure referred for information.

☐ Enclosure referred for advice, please.

☐ Enclosure referred for appropriate action, please.

COMMENTS.

Attached are documents requested in reftel.

(G.G. THOMPSON)
UN Political Section.

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935/28/2

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O.AL6468 WJKI
TOR 21.20 04.12.82

O.AL6468 0930 4.12.82 CLA

TO.
RR CANBERRA/4976

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RR PARIS EMB/1003 JEDDAH/104 WASHINGTON/120

FM. ALGIERS / REF O.AL6441

C O N F I D E N T I A L

ALGERIA/MOROCCO

FROM FILE 862/98

THE UNITED STATES DEPUTY HEAD OF MISSION (LORENZ) HAS TOLD US THAT HIS UNDERSTANDING IS THAT CURRENT INTEREST IN HAVING KING FAHD PLAY A ROLE IN THE WESTERN SAHARA DISPUTE RESULTED FROM PROMPTING BY MOROCCO RATHER THAN ALGERIA. HE NOTED THAT FAHD WAS A REGULAR VISITOR TO MOROCCO AND HAD CLOSE LINKS WITH HASSAN.

2. LORENZ BELIEVED THAT MOROCCO WOULD BE PREPARED TO MAKE SOME GESTURE SUCH AS RATIFYING THE AGREEMENT ON BOUNDARIES WHICH MOROCCO SIGNED WITH BOUMEDIENNE BUT NEVER RATIFIED. MOROCCO APPARENTLY BELIEVED THAT ITS WILLINGNESS TO RATIFY THAT AGREEMENT WOULD GIVE IT NEGOTIATING LEVERAGE WITH ALGERIA. BUT LORENZ WAS SCEPTICAL THAT ALGERIA WOULD REGARD THE RATIFICATION OF THAT AGREEMENT AS REQUIRING CONCESSIONS ON TS PART. CONTRARY TO THE VIEWS OF SOME OTHER OBSERVERS HERE, HE REMAINED TO BE CONVINCED BY REPORTS OF A RECENT MORE FLEXIBLE ALGERIAN POSTURE ON THE WESTERN SAHARA ISSUE.

3. LORENZ SAW THE INDICATIONS OF GREATER SAUDI INTEREST IN THE MAGHREB AS REFLECTING ITS WISH TO CONSOLIDATE ITS INFLUENCE IN THE ARAB WORLD AND TO DAMPEN DOWN REGIONAL DISPUTES WHICH DIVIDED ARAB RANKS. IT ALSO HAD A DIRECT INTEREST IN ENCOURAGING ALGERIA IN ITS MEDIATING EFFORTS BETWEEN IRAN AND IRAQ. ON THAT FRONT ALGERIA REMAINED READY TO PLAY A ROLE BUT JUDGED THAT THE TIME WAS NOT YET RIPE TO MAKE A MOVE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

.../2

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JBAE
JBAM

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FAS(MFS)	FAREP-M	FAREP-P	FAREP-S		

ACCRA AMMAN BAGHDAD BEIRUT BONN BRUSSELS CAIRO DAMASCUS
GENEVA LAGOS LONDON MADRID MALTA MOSCOW TEHRAN TEL AVIV
UN NEW YORK

IN
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DIPLOMATIC COMMUNICATIONS NETWORK
IN

FOREIGN AFFAIRS

CONFIDENTIAL

FILE No. 935/28/2

DATE 30 November 1982

SUBJECT UNGA 37 : WESTERN SAHARA

FOR Mr RJ Greet

In view of the stir caused by our instructing UN New York to vote in favour of the Algerian draft on Western Sahara, I wish to place on record that the decision was made by me, and that I made it against the background of advice from both IO and AME Branches. While it was, in the last analysis, a matter of fine judgement, and I was conscious of your emerging preference for an abstention, I continue to feel that the instructions we sent were in Australia's best interests. The fact that these instructions were not interpreted with complete accuracy was unfortunate, as was the vehemence of the mission's subsequent message on the issue.

2. I understand that some informal advice has now been conveyed to Mr Woolcott on this matter. For the official record, however, I simply want to underline that responsibility for the instructions sent to UN New York was entirely mine.

Jeff Starey

(J.M. Starey)
AS(IO)

Thank you. We have it in mind to look again at this rather vexing matter. It would be timely to do so before Woolcott's return on consultations. Will you initiate the preparation of a (not too long) paper which identifies the pros & cons of the main arguments.

← R. Billingsley

6/12

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O.AL6443 JAMC
TOR 20.25 29.11.82

O.AL6443 1200 28.11.82 CLA

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FM. ALGIERS / REF O.UN25830

C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

FROM FILE 921/15 TO FILE 935/28/2

WE APPRECIATE THAT MOROCCO MAY OFFER BETTER PROSPECTS FOR TRADING SUPPORT THAN DOES ALGERIA, ALTHOUGH WE WOULD NOT THINK THAT WE SHOULD NECESSARILY EXCLUDE THE POSSIBILITY IN THE FUTURE OF SEEKING SOME APPROPRIATE VZ ID PRO QUO FOR OUR CONTINUED SUPPORT OF THE ALGERIAN RESOLUTION,. AS NEW YORK RECOGNISES, HOWEVER, TIMOR IS UNLIKELY TO BE A SERIOUS STARTER GIVEN ALGERIA'S OVERRIDING INTEREST IN THE NON-ACCEPTANCE OF MOROCCO'S OCCUPATION OF THE FORMER SPANISH SAHARA.

2. WHILE IT IS PERHAPS UNDERSTANDABLE THAT AN ABSTENTION MAY BETTER SERVE CERTAIN OF OUR UNITED NATIONS INTERESTS, THERE IS A CASE TO BE MADE THAT N FROM THE POINT OF VIEW OF SEEKING TO GIVE SOME SUBSTANCE TO OUR BILATERAL RELATIONSHIP WITH ALGERIA, A VOTE IN FAVOUR OF THE ALGERIAN TEXT IS NOT WITHOUT ITS POINT.

3. WHILE IT IS TRUE THAT MISNY WESTERN EUROPEAN COUNTRIES PREFER ABSTENTION IN ORDER TO AVOID GIVING OFFENCE TO EITHER SIDE, THE POLITICAL AND ECONOMIC STAKES WHICH A NUMBER OF THEM HAVE IN MOROCCO ALSO MAKE THAT AN EXPEDIENT COURSE. ON THE OTHER HAND, WE NOTE THAT A SMALL GROUP OF SCANDINAVIAN AND NEUTRAL COUNTRIES, WITH WHICH AUSTRALIA HAD VOTED ON THE ITEM PRIOR TO 1981, HAVE NOW REVERTED TO THEIR FORMER POSITION IN FAVOUR OF THE ALGERIAN DRAFT.

4. THERE IS ALSO A CASE, IN A REGION FAR REMOVED FROM DIRECT AUSTRALIAN INVOLVEMENT, FOR NOT BEING OVER-INFLUENCED BY WHAT OTHERS MAY BE DOING. IS THERE ANYTHING WRONG WITH ALLOWING OUR VOTE TO BE DICTATED BY THE REQUIREMENTS OF OUR BASIC POLICY (IN THIS CASE SUPPORT FOR SELF-DETERMINATION AND FOR THE PEACEFUL SETTLEMENT OF DISPUTES). THIS YEAR MORE THAN LAST A POLICY OF SIMPLY LEAVING MATTERS TO THE OAU WOULD HAVE LACKED CREDIBILITY.

.../2

IN
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PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

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FAS(DN)	DEF	DPR	FAS(IOAME)		FAS(ECO)
FAS(LT)	IL	FAREP-M	FAREP-P		FAREP-S

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RR PARIS EMB/997 LONDON/508 NAIROBI/57
RR DAMASCUS/57 AMMAN/36 BEIRUT/28
RR BAGHDAD/65 CAIRO/158

FM. ALGIERS / REF O.AL6438 O.AL6444

R E S T R I C T E D

ALGERIA : VISIT OF KING FAHD

THERE APPEAR TO HAVE BEEN A NUMBER OF FACTORS BEHIND THE ALGERIAN INTEREST IN SEEKING TO IMPROVE THEIR RELATIONS WITH SAUDI ARABIA AT THIS STAGE. ONE STRAND IS ALGERIA'S CONCERN TO AVOID ISOLATION FOLLOWING THE DISMANTLING OF ITS POLICY ON PALESTINE AS AN OUTCOME OF THE FES SUMMIT. THE DISAPPEARANCE OF THE STEADFASTNESS FRONT HAS ALSO MEANT THAT ALGERIA WAS LESS CONSTRAINED IN MOVING MORE OPENLY TO DEVELOP ITS RELATIONS WITH INFLUENTIAL MODERATE ARAB STATES. AS ONE OF THE MORE DISINTERESTED SUPPORTERS OF THE PLO, AND (LIKE THE SAUDIS) A MEMBER OF THE CONTACT GROUP SET UP AT FES, ALGERIA HAS AN INTEREST IN THE NEXT STEPS ON THE PALESTINIAN QUESTION. DURING THE VIQSIT ARAFAT HAD A MEETING TOGETHER WITH FAHD AND CHADLI AND A SECOND MEETING BETWEEN THESE THREE WAS HASTILY SCHEDULED JUST BEFORE FAHD'S DEPARTURE. ARAFAT HIMSELF THEN DEPARTED FOR THE DAMASCUS MEETING OF PLO EXECUTIVE COMMTTEE. THE FAHD/CHADLI COMMUNIQUE SHOWED NO SIGN OF MOVEMENT ON THE PALESTINE ISSUE.

2. A SIGNIFICANT FACTOR IN THE ALGERIAN INVITATION APPEARS TO HAVE BEEN ALGERIA'S WISH TO INVOLVE THE SAUDIES MORE DEEPLY IN PLAYING A ROLE VIS-A-VIS THE MOROCCANS IN THE WESTERN SAHARA DISPUTE. THE TERSE REFERENCE TO THAT SUBJECT IN THE COMMUNIQUE GIVES LITTLE INDICATION WHAT THE SAUDIS MAY BE PREPARED TO DO. SOME SPECULATION CENTRES AROUND WHETHER MOROCCO, AS THE STATE WHICH BROKE DIPLOMATIC RELATIONS, COULD BE PERSUADED TO MAKE SOME GESTURE TOWARDS ALGERIA.

3. THERE ALSO SEEMS TO BE A SIGNIFICANT SAUDI INTEREST IN ENCOURAGING ALGERIA TO CONTINUE ITS SOUNDINGS WITH A VIEW TO PLAYING A MEDIATORY ROLE IN THE IRAN/IRAQ DISPUTE. ALTHOUGH THERE ARE NO INDICATIONS THAT ALGERIA HAS GOT MUCH OF A RESPONSE FROM TEHRAN, IT IS APPARENTLY THOUGHT TO HAVE BETTER CREDENTIALS (AND A BETTER TRACK RECORD) THAN MOST IN NEGOTIATING WITH THE IRANIANS. IT SEEMS CLEAR

.../2

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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FROM THE COMMUNIQUE THAT ALGERIA HAS BEEN ENCOURAGED TO PURSUE ITS EFFORTS.

4. A FURTHER FACTOR APPEARS TO BE REFLECTED IN THE PROMMINENT PLACE GIVEN TO BILATERAL COOPERATION. SAUDI ARABIA IS ONE OF THE RELATIVELY FEW ARAB COUNTRIES WITH WHICH ALGERIA DOES NOT HAVE A FORMAL FRAMEWORK FOR ECONOMIC COOPERATION. NO DOUBT THIS REFLECTS THE LIMITED TRADING OPPORTUNITIES WHICH EXIST. IT SEEMS CLEAR HOWEVER THAT ALGERIA IS NOW LOOKING FOR GREATER SAUDI INVOLVEMENT IN ALGERIA'S DEVELOPMENT PROGRAM, PERHAPS MORE IN LINE WITH THE SCALE OF SAUDI INVESTMENT IN MOROCCO. IN THE INTEREST OF REINFORCING THEIR POLITICAL INFLUENCE IN THE MAGHREB, AS WELL AS WITH AN EYE TO ALGERIA'S EXPANDING ECONOMY, PERHAPS THE SAUDIS COULD BE PERSUADED TO BECOME MORE INVOLVED IN ALGERIA.

5. THE ALGERIANS APPEAR TO HAVE GIVEN THEIR FULL SUPPORT TO SAUDI ARABIA IN DEFENCE OF THE OPEC BASE PRICE. BUT THERE IS SIGNIFICANTLY NO REFERENCE TO WHAT MAY HAVE BEEN THE OUTCOME ON THE QUESTION OF PRICE DIFFERENTIALS FOR THE HIGHER GRADE NORTH AFRICAN OILS. THE REFERENCE TO ARAB-AFRICAN COOPERATION APPEARS TO BE A RESPONSE TO REPORTED CONCERNS THAT RECENT DEVELOPMENTS IN THE OAU WERE PUTTING SUCH COOPERATION UNDER SEVERE STRAIN. FOR THE REST THE COMMUNIQUE APPEARS TO REFLECT CONSIDERABLE ALGERIAN INPUT ON SUCH ISSUES AS NON-ALIGNMENT, NAMIBIA AND NIEO.

ACTION: FOREIGN AFFAIRS
DEP TDE AND RSCS T/T
ONA

PRIME MINISTER
MIN TDE AND RSCS
DEP INDY COMM
JIO

FOREIGN MINISTER
DEP DEFENCE
DEP P M AND CABINET

MIN DEFENCE
DEP FINANCE
DEP TREASURY

ACTION: AME
ER

JBAM
EECDAD

SEC DEPSEC-A DEPSEC-B LA EX MCO
PA FAS(SEP) FAS(NSA) SA FAS(EANZ)
ANZ FAS(DN) DEF DPR FAS(IOAME) IO
FAS(ECO) EO OEE FAS(LT) FAS(MFS)
FAREP-M FAREP-P FAREP-S DIR-ADAB

BONN BRUSSELS GENEVA MALTA MOSCOW TEL AVIV UN NEW YORK

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

CONFIDENTIAL

935/28/2

30 November 1982

UNGA 37 : WESTERN SAHARA

Mr RJ Greet

In view of the stir caused by our instructing UN New York to vote in favour of the Algerian draft on Western Sahara, I wish to place on record that the decision was made by me, and that I made it against the background of advice from both IO and AME Branches. While it was, in the last analysis, a matter of fine judgement, and I was conscious of your emerging preference for an abstention, I continue to feel that the instructions we sent were in Australia's best interests. The fact that these instructions were not interpreted with complete accuracy was unfortunate, as was the vehemence of the mission's subsequent message on the issue.

2. I understand that some informal advice has now been conveyed to Mr Woolcott on this matter. For the official record, however, I simply want to underline that responsibility for the instructions sent to UN New York was entirely mine.

(J.M. Starey)
AS(IO)

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935/28/2

26 November 1982

Dear Dick,

I am writing to follow up our cable O.CH76309 and to provide you with background on the Department's instructions in relation to the Western Sahara item. Overall, as much have been clear from our cables, the item created difficulties for us, difficulties which were arguably beyond the importance of the issue to Australia.

As it happened, I was not in the Department on the day the final voting instructions were decided. What follows by way of explanation of the instructions reflects the views of my colleagues who decided matters in my absence.

The general intension was that our voting on the item should follow both our principles and our voting pattern of recent years, and should be regarded as "favouring" neither Algeria nor Morocco. This last point was made clear in our final instructions (O.CH73634).

The factors which influenced us towards support of the Algerian text included the following:

(a) We have normally supported the Algerian text. UNGA 36 was, in this case an exception. This support reflects the importance we attach to the concept of self-determination in this specific instance and the revival of our doubts about Morocco's bona fides. (You will be aware that one of the reasons for our abstention last year was to give Morocco the opportunity to show its good faith. In the event, Morocco has contributed as much as Algeria to the OAU's problems and does not appear seriously to be contemplating responding to calls for an act of self-determination.)

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(b) We appeared likely to have adequate WEOG company this year, as in previous years. As a member of the Committee of 24 we have tended to be out in front of most other WEOGs on this and most other decolonisation issues.

(c) We were aware of the conservative (or "moderate") stance of Morocco in international issues, including the Middle East. We assessed that our support for the Algerian draft was unlikely to affect that stance.

(d) Our relations with Morocco are limited. On the other hand, we have a resident mission in Algiers. This reflects the greater substance of that relationship. Moreover, MENA Section could not see any substantial reasons in the context of our bilateral relations with Morocco and Algeria why we should not support the Algerian text as well as the Moroccan one.

(e) The text of the Algerian draft was more moderate than that which we supported at CHR 38 or that adopted by UNGA 36, which we also supported.

On the negative side it was appreciated that the Algerian text had some difficult aspects, especially the apparent pre-judgement of the result of any act of self-determination. We also were aware that the OAU was facing severe internal difficulties over the Western Sahara problem.

While there was a certain amount of misunderstanding at both the Canberra and New York ends on this issue (you will have noted that our instructions specified that we should support the Algerian text ".... provided we have supported the Moroccan text" (O.CH73634)), my colleagues believe that the position they adopted was defensible and consistent with Government policy. This is not to prejudge the review suggested by you and you may be assured that we will consider carefully the suggestions that you have made in the course of our review.

Yours sincerely,

(R.J. Greet)
A/First Assistant Secretary
International Organisations,
Africa & Middle East Division

H.E. Mr R.A. Woolcott
Ambassador and Permanent Representative
Australian Permanent Mission to the UN
NEW YORK.

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OUTWARD CABLEGRAM OUT

O.CH076309 MJWO

O.CH076309 1833 25.11.82 CLA

TO.
PP UN NEW YORK/888

FM. CANBERRA / FILE 935/28/2 REF O.UN25851

C O N F I D E N T I A L

UNGA 37: FOURTH COMMITTEE - WESTERN SAHARA.

THANKS REFTEL. WE AGREE WITH YOUR SUGGESTION THAT OUR ATTITUDE ON THIS ISSUE BE REVIEWED BEFORE CHR. 39. WE WILL UNDERTAKE THE REVIEW ONCE THE PRESSURES OF UNGA HAVE RELAXED.

2. LETTER FOLLOWS.

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ACTION: IO OGBAAFA
AME

SEC DEPSEC-A DEPSEC-B FAS(IOAME)
FAS(LT)

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935/28/2

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INWARD CABLEGRAM

O.AL6433 GAFR
TOR 02.35 25.11.82

O.AL6433 1130 24.11.82 CLA

TP.
RR CANBERRA/4942

RP.
RR PARIS EMB/994 UN NEW YORK/246 THE HAGUE/17
RR WASHINGTON/113 NAIROBI/54

FM. ALGIERS /

C O N F I D E N T I A L

MAURITANIA/WESTERN SAHARA

FROM FILE 862/98/1

DUTCH AMBASSADOR WEHRY (PLEASE PROTECT) HAS TOLD US THAT THE DUTCH EMBASSY IN NOUAKCHOTT HAS REPORTED GROWING CONCERN AMONG GOVERNMENT OFFICIALS AND FOREIGN BUSINESS COMMUNITY ABOUT THE SECURITY SITUATION IN MAURITANIA. POLISARIO FORCES WERE APPARENTLY MOVING OPENLY AND FREELY IN THE COUNTRY WITH LOCAL AUTHORITIES APPARENTLY UNWILLING OR UNABLE TO CONTROL THEM. A PARALLEL WAS BEING DRAWN BETWEEN POLISARIO ACTIVITY IN MAURITANIA AND THE SITUATION WHICH DEVELOPED WITH THE PLO IN LEBANON BEFORE THE ISRAELI INVASION.

2. DUTCH EMBASSY SUGGESTED THAT THE PRESENT SITUATION COULD RAISE SOME QUESTIONS ABOUT THE FUTURE VIABILITY OF MAURITANIA. GIVEN ITS FORMIDABLE AND MOUNTING ECONOMIC AND SOCIAL PROBLEMS THERE WAS A QUESTION WHETHER THE LONG-STANDING STRAINS BETWEEN THE ARAB NORTH AND THE BLACK SOUTH COULD CONTINUE TO BE CONTAINED. THE INCREASINGLY OPEN POLISARIO ACTIVITY WOULD FURTHER UNDERMINE THE GOVERNMENT'S AUTHORITY. THE DUTCH EMBASSY SPECULATED WHETHER THE FUTURE OF THE NORTHERN HALF OF MAURITANIA MIGHT NOT LIE WITH A FUTURE WESTERN SAHARA STATE, ASSUMING THAT THERE WAS TO BE ONE, RATHER THAN WITH THE BLACK SOUTHERN HALF OF THE COUNTRY.

3. NEEDLESS TO SAY, SUCH IDEAS ARE HIGHLY SPECULATIVE. HOWEVEER THEY DO SUGGEST THAT THE TENSIONS GENERATED BY THE CONTINUED LACK OF PROGRESS IN THE WESTERN SAHARA CONFLICT AND THE HEIGHTENED MILITARY PREPAREDNESS OF BOTH SIDES ARE ARE HAVING AN UNSTABILISING IMPACT ON MAURITANIA

.../2

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.AL6433

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JAE
JBAE

SEC DEPSEC-A DEPSEC-B LA EX MCO
PA FAS(SEP) FAS(NSA) SA FAS(EANZ)
EUR CN FAS(DN) DEF DPR FAS(IOAME)
IO FAS(ECO) FAS(LT) FAREP-M FAREP-P
FAREP-S DIR-ADAB

ACCRA CAIRO DAR ES SALAAM LAGOS LONDON MADRID MALTA MOSCOW
TEHRAN

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

CONFIDENTIAL 935/28/2

INFO: FAS(IOAME)
COPY NO. 1

URGENT

INWARD CABLEGRAM

AMENDED COPY

O.UN25851 WJKI
TOR 11.01 24.11.82

O.UN25851 1855 23.11.82 CLA

TO.
PP CANBERRA/4657

FM. UN NEW YORK / REF O.CH75747

C O N F I D E N T I A L

UNGA 37 : WESTERN SAHARA

WE WERE NOT SURPRISED THAT THE IDEAS CANVASSED IN O.UN25840 DID NOT ATTRACT YOU BUT IT WOULD BE HELPFUL TO HAVE A MORE DETAILED REACTION TO THE OTHER ++ CONCERNS ++ THAN WERE CONVEYED IN YOUR REFTEL.

2. AS I SEE IT IT WAS FOR LARGELY FORTUITOUS REASONS (ESSENTIALLY THAT THE OAU BECAME SEIZED OF THE MATTER) THAT AUSTRALIA WAS ABLE TO MOVE AT UNGA 36 TO A MORE NEUTRAL AND COMFORTABLE POSITION ON WESTERN SAHARA AND THEREBY JOIN THE RESPECTABLE COMPANY OF THE MAJORITY OF WEOG COUNTRIES. THE DECISION, FIRSTLY AT THE LAST SESSION OF THE HUMAN RIGHTS COMMISSION, AND SECONDLY AT UNGA 37, TO VOTE IN FAVOUR OF THE RESPECTIVE ALGERIAN DRAFTS HAS PUT US BACK IN THE ALGERIAN CORNER WITH LITTLE VISIBLE GAIN FOR AUSTRALIA'S OVERALL POLITICAL INTERESTS. THE REASONS BEHIND THIS ARE NOT CLEAR TO ME AND IT WOULD BE HELPFUL TO KNOW WHAT THEY ARE.

3. I WOULD ALSO URGE THAT THE MATTER BE PUT TO EARLY REVIEW IN ORDER THAT OUR POSITION MIGHT BE RE-EXAMINED BEFORE THE EXPECTED DRAFT RESOLUTION ON WESTERN SAHARA EMERGES AT THE NEXT SESSION OF THE HUMAN RIGHTS COMMISSION. IT WOULD SEEM TO ME THAT IF WE ARE TO SUSTAIN OUR SUPPORT FOR THE ALGERIANS WE SHOULD BE TRYING TO IDENTIFY A SATISFACTORY ISSUE ON WHICH WE SHOULD BE SEEKING ALGERIAN SUPPORT.

...WOOLCOTT.

++ AMENDMENT ++

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IN

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IN

B Stanley
B Billingsley
We need to do 2 things
① Telegram to Woolcott confirming that we will review matter as suggested in para
② Letter from me to Woolcott canvassing our responses to this issue developed at UNGA 37.

CONFIDENTIAL

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

2-O.UN25851

ACTION: IO

OGBAAFA

SEC DEPSEC-A DEPSEC-B FAS(SEP) SEA
FAS(IOAME) FAS(LT)

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DEPARTMENT OF FOREIGN AFFAIRS
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INWARD CABLEGRAM

O.UN25855 RHOW
TOR 12.04 24.11.82

O.UN25855 2000 23.11.82 UNC

TO.
PP CANBERRA/4661

RP.
RR PARIS EMB/1419 ALGIERS/182

FM. UN NEW YORK / REF O.UN25702

U N C L A S S I F I E D

UNGA 37 : ITEM 18 : WESTERN SAHARA.

FROM FILE 103/3/4, 512/1

PLENARY ON 23 NOVEMBER ADEPTED ALGERIAN RESOLUTION ON WESTERN SAHARA BY 78 (AUSTRALIA) - 15 - 50. BEFORE THE VOTE AUSTRIA ANNOUNCED THAT IT WAS CHANGING ITS VOTE AND WOULD BE SUPPORTING ALGERIAN TEXT.

PLENARY ALSO ADOPTED B7 CONSENSUS DECISION ON WESTERN SAHARA INTRODUCED INTO FOURTH COMMITTEE BY KENYA.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER | FOREIGN MINISTER | MIN DEFENCE
DEP DEFENCE | DEP P M AND CABINET | JIO

ACTION: IO | OGBAAFA
AME

SEC | DEPSEC-A | DEPSEC-B | LA | EX | PA
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IN
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ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

O.UN25851 RHOW
TOR 11.01 24.11.82

O.UN25851 1855 23.11.82 CLA

TO.
PP CANBERRA/4657

FM. UN NEW YORK / REF O.CH75747

C O N F I D E N T I A L

UNGA 37 : WESTERN SAHARA

WE WERE NOT SURPRISED THAT THE IDEAS CANVASSED IN O.UN25840 DID NOT ATTRACT YOU BUT IT WOULD BE HELPFUL TO HAVE A MORE DETAILED REACTION TO THE OTHER CONTENTS THAN WERE CONVEYED IN YOUR REFTEL.

2. AS I SEE IT IT WAS FOR LARGELY FORTUITOUS REASONS (ESSENTIALLY THAT THE OAU BECAME SEIZED OF THE MATTER) THAT AUSTRALIA WAS ABLE TO MOVE AT UNGA 36 TO A MORE NEUTRAL AND COMFORTABLE POSITION ON WESTERN SAHARA AND THEREBY JOIN THE RESPECTABLE COMPANY OF THE MAJORITY OF WEOG COUNTRIES. THE DECISION, FIRSTLY AT THE LAST SESSION OF THE HUMAN RIGHTS COMMISSION, AND SECONDLY AT UNGA 37, TO VOTE IN FAVOUR OF THE RESPECTIVE ALGERIAN DRAFTS HAS PUT US BACK IN THE ALGERIAN CORNER WITH LITTLE VISIBLE GAIN FOR AUSTRALIA'S OVERALL POLITICAL INTERESTS. THE REASONS BEHIND THIS ARE NOT CLEAR TO ME AND IT WOULD BE HELPFUL TO KNOW WHAT THEY ARE.

3. I WOULD ALSO URGE THAT THE MATTER BE PUT TO EARLY REVIEW IN ORDER THAT OUR POSITION MIGHT BE RE-EXAMINED BEFORE THE EXPECTED DRAFT RESOLUTION ON WESTERN SAHARA EMERGES AT THE NEXT SESSION OF THE HUMAN RIGHTS COMMISSION. IT WOULD SEEM TO ME THAT IF WE ARE TO SUSTAIN OUR SUPPORT FOR THE ALGERIANS WE SHOULD BE TRYING TO IDENTIFY A SATISFACTORY ISSUE ON WHICH WE SHOULD BE SEEKING ALGERIAN SUPPORT.

WHY?

...WOOLCOTT.

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ACTION: IO OGBAAFA

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FAS(IOAME) FAS(LT)

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PP CANBERRA/4661

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RR PARIS EMB/1419 ALGIERS/182

FM. UN NEW YORK / REF O.UN25702

U N C L A S S I F I E D

UNGA 37 : ITEM 18 : WESTERN SAHARA.

FROM FILE 103/3/4, 512/1

PLENARY ON 23 NOVEMBER ADEPTED ALGERIAN RESOLUTION ON WESTERN SAHARA BY 78 (AUSTRALIA) - 15 - 50. BEFORE THE VOTE AUSTRIA ANNOUNCED THAT IT WAS CHANGING ITS VOTE AND WOULD BE SUPPORTING ~~ALGERIAN TEXT.~~

PLENARY ALSO ADOPTED B7 CONSENSUS DECISION ON WESTERN SAHARA INTRODUCED INTO FOURTH COMMITTEE BY KENYA.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER | FOREIGN MINISTER | MIN DEFENCE
DEP DEFENCE | DEP P M AND CABINET | JIO

ACTION: IO | OGBAAFA
AME

SEC | DEPSEC-A | DEPSEC-B | LA | EX | PA
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DEF | DPR | FAS(IOAME) | FAS(ECO) | FAS(LT)
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935/28/2

O.CH075747 RHOW

O.CH075747 1844 23.11.82 CLA FIRST

TO.
PP UN NEW YORK/837

FM. CANBERRA / FILE 935/28/2 935/29/2 REF O.UN25840

C O N F I D E N T I A L
UNGA 37: FOURTH COMMITTEE: WESTERN SAHARA.

WE ARE NOT ATTRACTED BY THE DEAL PUT TO YOU BY MOROCCAN PERMANENT REPRESENTATIVE. YOU SHOULD MAINTAIN YOUR POSITIVE VOTE ON WESTERN SAHARA.

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ACTION: IO OGBAAFA

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FAS(IOAME) FAS(LT)

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O.CH075419 SACA

O.CH075419 1745 22.11.82 CLA FIRST

TO.
PP ALGIERS/8831

RP.
PP UN NEW YORK/814 PARIS EMB/8342

FM. CANBERRA / REF O.AL6420

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE - WESTERN SAHARA

TO FILE 921/15 FROM FILE 935/28/2

WE WERE SURPRISED BY BERRACHED'S COMMENT THAT WE MIGHT BE CONTEMPLATING CHANGING OUR VOTE ON WESTERN SAHARA WHEN ITEM IS DEALT WITH IN PLENARY. THE ITEM PRESENTED DIFFICULTIES FOR US, AS, WE ARE SURE, THE ALGERIANS WILL HAVE APPRECIATED. WE EXAMINED OUR POSITION AFTER THE FOURTH COMMITTEE VOTE BUT A CHANGE OF VOTE IN PLENARY WAS NOT SERIOUSLY CONSIDERED.

2. WE DO NOT KNOW HOW BERRACHED MIGHT HAVE COME TO THE UNDERSTANDING THAT HE DID, BUT YOU MAY ASSURE HIM THAT AUSTRALIA WILL BE VOTING THE SAME WAY IN PLENARY AS IT DID IN THE FOURTH COMMITTEE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

.../2

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2-0.CH075419

ACTION: IO
AME

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FAS(DN)	DEF	DPR	FAS(IOAME)		FAS(ECO)
FAS(LT)	IL	FAREP-M	FAREP-P		FAREP-S

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INFO: MR. R. GREET(IOAME)
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INWARD CABLEGRAM

O.UN25840 RHOW
TOR 11.57 23.11.82

O.UN25840 1940 22.11.82 CLA FIRST

TO.
PP CANBERRA/4647

FM. UN NEW YORK / REF O.UN25830

C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

THE FOLLOWING CONTAINS SENSITIVE INFORMATION.

MOROCCO HAS MADE REPRESENTATIONS TO US ON THE WESTERN SAHARA RESOLUTION. THE MOROCCANS HAVE SAID THAT IF AUSTRALIA WERE TO ABSTAIN OR ABSENT ITSELF FROM THE VOTE ON WESTERN SAHARA THEY WOULD BE PREPARED TO VOTE AGAINST THE RESOLUTION ON TIMOR (CONFIDENTIAL)

2. WE WERE APPROACHED THIS AFTERNOON BY THE MOROCCAN PERMANENT REPRESENTATIVE. HE SAID THAT HIS GOVERNMENT WAS DISTURBED AND NOT A LITTLE PUZZLED BY AUSTRALIA'S VOTING IN THE FOURTH COMMITTEE ON THE WESTERN SAHARA RESOLUTION. MOROCCO HAD HOPED AUSTRALIA WOULD TAKE THE VIEW THAT THE ISSUE REMAINED SUB JUDICE WITHIN THE OAU AND THUS ABSTAIN. IN THE EVENT AUSTRALIA WAS ONE OF ONLY VERY FEW WESTERN COUNTRIES TO SUPPORT THE TEXT IN THE FOURTH COMMITTEE. AN EXAMINATION OF THE VOTING RECORD (THE AMBASSADOR SUGGESTED) WOULD ALSO SHOW THAT WE WERE VOTING MAINLY IN THE COMPANY OF SOCIALIST AND RADICAL STATES. AGAIN THIS WA S PUZZLING TO MOROCCO. THE SUPPORT OF COUNTRIES LIKE AUSTRALIA GAVE THE RESOLUTION A ''RESPECTABILITY'' IT DID NOT DESERVE.

3. THE MOROCCAN AMBASSADOR WENT ON TO IDENTIFY WHAT HE MAINTAINED WERE DEFICIENCIES IN THE DRAFT. HE SAID THAT THE REFERENCE TO ''SELF-DETERMINATION AND INDEPENENCE'' IN OPERATIVE PARAGRAPH 1 PREJUDGED THE OUTCOME OF AN ACT OF SELF-DETERMINATION. MOROCCO ALSO REMAINED OPPOSED TO THE PROPOSAL IN THE DRAFT RESULTION THAT IT SHOULD ENTER INTO DIRECT BILATERAL NEGOTIATIONS WITH POLISARIO FOR THE REASON THAT THIS AGAIN SEEMED TO PREJUDGE THE OUTCOME.

4. IN THE LIGHT OF ALL THIS WE WERE ASKED WHETHER AUSTRALIA MIGHT NOT CONSIDER ABSTAINING ON THE DRAFT IN PLENARY OR WHETHER WE MIGHT ''NOT PARTICIPATE'' IN THE VOTE.

.../2

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DIPLOMATIC COMMUNICATIONS NETWORK
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INFO: MR. R. GREET(IOAME)
COPY NO. 1

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5. IN RESPONSE WE EXPLAINED TO THE PERMANENT REPRESENTATIVE AUSTRALIA'S CONCERN TO PROMOTE SELF-DETERMINATION, INCLUDING IN WESTERN SAHARA. WE SAID THAT WE WOULD OF COURSE REPORT HIS REPRESENTATIONS TO CANBERRA BUT THAT, IN ALL FRANKNESS, WE SAW NO LIKELIHOOD OF ANY CHANGE IN OUR VOTE IN THE PLENARY. INDEED (WE ADDED) OUR VOTING POSITION HAD BEEN RECONFIRMED FROM CANBERRA ONLY THIS MORNING.

6. IT WAS AT THAT POINT THAT THE MOROCCAN AMBASSADOR REFERRED TO THE UPCOMING VOTE ON EAST TIMOR. HE SAID THAT HE COULD TELL US THAT HE HAD BEEN DISCUSSING CONFIDENTIALLY WITH SEVERAL ASEAN DELEGATIONS THE POSSIBILITIES OF THEIR SPEAKING TO AUSTRALIA ABOUT ABSTAINING ON THE WESTERN SAHARA TEXT IN EXCHANGE FOR WHICH MOROCCO WOULD THEN BE ABLE TO CONSIDER A NEGATIVE VOTE ON EAST TIMOR. THE MOROCCAN AMBASSADOR SAID THAT HE WAS OBVIOUSLY SOMEWHAT RETICENT ABOUT RAISING THIS MATTER WITH US DIRECTLY BUT THAT PERHAPS WE SHOULD BE AWARE OF MOROCCO'S POSITION IN ORDER THAT WE MIGHT TAKE IT INTO ACCOUNT IN REACHING OUR OWN FINAL DECISION ON WESTERN SAHARA.

7. WE DID NOT RESPOND SPECIFICALLY OTHER THAN TO REPEAT THAT OUR INSTRUCTIONS TO VOTE FOR THE WESTERN SAHARA TEXT WERE FIRM. WE HAD, HOWEVER, BEEN AWARE THAT MOROCCO HAD PREVIOUSLY RAISED WITH THE ASEANS THE POSSIBILITY OF A ''DEAL''. IN PARTICULAR IT WAS MENTIONED TO US BY THE THAI PERMAMENT REPRESENTATIVE LATE LAST WEEK. WE GAVE HIM NO ENCOURAGEMENT AT THE TIME TO BELIEVE THAT SUCH A DEAL INVOLVING AUSTRALIA WOULD BE POSSIBLE. THIS POSITION WOULD SEEM TO BE CONFIRMED BY THE ADVICE IN O.CH75419. IT DOES OCCUR TO US, HOWEVER, THAT THERE MIGHT BE POSSIBILITIES FOR AN ARRANGEMENT GOVERNING AUSTRALIA'S POSITION NEXT YEAR, INCLUDING IN THE HUMAN RIGHTS COMMISSION. FOR REASONS OUTLINED IN REFTEL (AND EARLIER IN O.UN23237 AND A LETTER ADDRESSED TO JAMES OF 25 FEBRUARY 1982) WE BELIEVE THAT THE GENERAL ISSUE OF OUR VOTING ON WESTERN SAHARA REQUIRES REVIEW AND PERHAPS RECONSIDERATION. SO MUCH THE BETTER WERE WE ABLE TO EXTRACT SUPPORT FROM MOROCCO ON THE TIMOR ISSUE IN RETURN. THE POSSIBILITIES MIGHT AT LEAST BE WORTH TESTING.

8. THE QUESTION THAT NEEDS TO BE ADDRESSED IS WHETHER, IN TERMS OF ENCOURAGING THE MOROCCANS TO A MORE FORTHCOMING POSITION ON THE TIMOR VOTE, WE MIGHT NOT OFFER TO THEM AN UNDERTAKING THAT WE WOULD REVIEW OUR POSITION ON WESTERN SAHARA BETWEEN NOW AND THE MEETING OF THE HUMAN RIGHTS COMMISSION IN FEBRUARY/MARCH. WE COULD EXPLAIN TO THE MOROCCANS THAT AN UNDERTAKING TO REVIEW WOULD BE NO MORE THAN THAT, THAT WE COULD GIVE NO GUARANTEES ABOUT THE OUTCOME, AND INDEED THAT

.../3

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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INFO: MR. R. GREET(IOAME)
COPY NO. 1

INWARD CABLEGRAM

3-O.UN25840

OUR SYSTEM OF GOVERNMENT WOULD PRECLUDE ANY ABSOLUTE PRIOR COMMITMENT. AT THE SAME TIME OF COURSE IT WOULD HAVE TO BE EXPECTED THAT SUCH AN OFFER WOULD ENGENDER EXPECTATIONS OF A MORE SYMPATHETIC AUSTRALIAN POSITION. OUR ARGUMENT IS THAT A MORE NEUTRAL AUSTRALIAN POSITION ON WESTERN SAHARA IS REQUIRED IN ANY EVENT.

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ACTION: FOREIGN AFFAIRS

ACTION: MR.J.STAREY(IO) OGBAAFA

MR.P.HENDERSON(SEC) MR.A.PARSONS(DEP-A)
MR.G.FEAKES(DEP-B) MR.G.NUTTER(SEP)
MRS.T.SHAND(SEA) MR.R.GREET(IOAME) MR.W.BRAY(LT)

IN

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

O.UN25830 PLRY
TOR 07.58 23.11.82

O.UN25830 1530 22.11.82 CLA

TO.
PP CANBERRA/4637

RP.
PP ALGIERS/181 PARIS EMB/929

FM. UN NEW YORK / REF O.CH75419 O.AL6420

C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA.

FROM FILE 412/1

Mr Billingsley

Please do me a note which clearly makes the points which were decisive in arguing for an affirmative vote on the Algerian resolution.

MG 23/11

WE HAVE MADE NO SUGGESTION TO THE ALGERIAN MISSION HERE THAT AUSTRALIA MIGHT CONSIDER CHANGING ITS VOTE IN PLENARY. ALGERIAN REPRESENTATIONS MAY THUS HAVE BEEN MORE IN THE NATURE OF A PRE-EMPTIVE BID LEST AUSTRALIA BE CONSIDERING SWITCHING TO AN ABSTENTION HAVING SEEN THAT SO FEW WEOG COUNTIRES VOTED FOR THE ALGERIAN TEXT.

2. WE ARE HOWEVER SURPRISED BY THE ORIGINAL INSTRUCTION THAT WE SHOULD VOTE IN FAVOUR OF THE ALGERIAN TEXT WHEN MAJORITY OF THOSE WITH WHOM WE NORMALLY VOTE WERE NOT DOING SO. GENERALLY WE HAD FELT THAT LAST YEAR'S MOVE TO AN ABSTENTION BETTER SERVED OUR UNITED NATIONS INTERESTS. THERE IS ALSO THE FACT THAT WESTERN SAHARA REMAINS A SENSITIVE ISSUE IN OAU RELATIONS AND THIS IS WHAT LEADS MOST OTHER WEOG COUNTRIES TO ABSTAIN.

3. WITH REGARD TO THE EARLIER DISCUSSION WITH THE ALGERIANS IN O.UN25733 WE WOULD REPEAT THAT THE REFERENCE TO ALGERIA'S TIMOR VOTE MADE IN LIGHT-HEARTED VEIN WITH NO SERIOUS SUGGESTION THAT WE WOULD DEVELOP A LINKAGE BETWEEN THE TWO ISSUES. THE FACT THAT ALGERIA DOES NOTE DIFFERENTLY ON TIMOR, HOWEVER, EXEMPLIFIED A GENERAL CONCERN NAMELY THAT THERE ARE VERY FEW POLITICALLY-CONTENTIOUS ISSUES ON WHICH ALGERIA DOES VOTE WITH US. MOROCCO, ON THE OTHER HAND, OFTEN SUPPORTS THE SAME POSITIONS AS AUSTRALIA. IT IS IRONICAL THEREFORE THAT WE SHOULD BE OUT IN FRONT OF OTHER WEOG COUNTRIES ON SUCH A SENSITIVE ISSUE IN MOROCCAN/ALGERIAN RELATIONS AS WESTERN SAHARA.

4. WE WOULD HOPE THAT THOSE MATTERS MIGHT BE GIVEN FURTHER CONSIDERATION NEXT YEAR, PERHAPS WITH THE VIEW TO ESTABLISHING AN APPROPRIATE QUID PRO QUO SHOULD AUSTRALIA CONTINUE TO VOTE FOR THE ALGERIAN TEXT ON WESTERN SAHARA.

.../2

CONFIDENTIAL

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

CONFIDENTIAL

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

2-O.UN25830

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

SEC	DEPSEC-A	DEPSEC-B	LA	EX	MCO
PA	FAS(SEP)	FAS(NSA)	FAS(EANZ)		CN
FAS(DN)	DEF	DPR	FAS(IOAME)		FAS(ECO)
FAS(LT)	IL	FAREP-M	FAREP-P		FAREP-S

NAIROBI

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

CONFIDENTIAL

CONFIDENTIAL
FIRST

ACTION: MR. J. STAREY(IO)
COPY NO. 1

INWARD CABLEGRAM

IN

O.UN25840 RHOW
TOR 11.57 23.11.82

O.UN25840 1940 22.11.82 CLA FIRST

TO.
PP CANBERRA/4647

FM. UN NEW YORK / REF O.UN25830

C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

THE FOLLOWING CONTAINS SENSITIVE INFORMATION.

MOROCCO HAS MADE REPRESENTATIONS TO US ON THE WESTERN SAHARA RESOLUTION. THE MOROCCANS HAVE SAID THAT IF AUSTRALIA WERE TO ABSTAIN OR ABSENT ITSELF FROM THE VOTE ON WESTERN SAHARA THEY WOULD BE PREPARED TO VOTE AGAINST THE RESOLUTION ON TIMOR (CONFIDENTIAL)

2. WE WERE APPROACHED THIS AFTERNOON BY THE MOROCCAN PERMANENT REPRESENTATIVE. HE SAID THAT HIS GOVERNMENT WAS DISTURBED AND NOT A LITTLE PUZZLED BY AUSTRALIA'S VOTING IN THE FOURTH COMMITTEE ON THE WESTERN SAHARA RESOLUTION. MOROCCO HAD HOPED AUSTRALIA WOULD TAKE THE VIEW THAT THE ISSUE REMAINED SUB JUDICE WITHIN THE OAU AND THUS ABSTAIN. IN THE EVENT AUSTRALIA WAS ONE OF ONLY VERY FEW WESTERN COUNTRIES TO SUPPORT THE TEXT IN THE FOURTH COMMITTEE. AN EXAMINATION OF THE VOTING RECORD (THE AMBASSADOR SUGGESTED) WOULD ALSO SHOW THAT WE WERE VOTING MAINLY IN THE COMPANY OF SOCIALIST AND RADICAL STATES. AGAIN THIS WA S PUZZLING TO MOROCCO. THE SUPPORT OF COUNTRIES LIKE AUSTRALIA GAVE THE RESOLUTION A ''RESPECTABILITY'' IT DID NOT DESERVE.

3. THE MOROCCAN AMBASSADOR WENT ON TO IDENTIFY WHAT HE MAINTAINED WERE DEFICIENCIES IN THE DRAFT. HE SAID THAT THE REFERENCE TO ''SELF-DETERMINATION AND INDEPENENCE'' IN OPERATIVE PARAGRAPH 1 PREJUDGED THE OUTCOME OF AN ACT OF SELF-DETERMINATION. MOROCCO ALSO REMAINED OPPOSED TO THE PROPOSAL IN THE DRAFT RESULTION THAT IT SHOULD ENTER INTO DIRECT BILATERAL NEGOTIATIONS WITH POLISARIO FOR THE REASON THAT THIS AGAIN SEEMED TO PREJUDGE THE OUTCOME.

4. IN THE LIGHT OF ALL THIS WE WERE ASKED WHETHER AUSTRALIA MIGHT NOT CONSIDER ABSTAINING ON THE DRAFT IN PLENARY OR WHETHER WE MIGHT ''NOT PARTICIPATE'' IN THE VOTE.

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CONFIDENTIAL
FIRST

IN

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: MR. J. STAREY(IO)
COPY NO. 1

INWARD CABLEGRAM

2-O.UN25840

5. IN RESPONSE WE EXPLAINED TO THE PERMANENT REPRESENTATIVE AUSTRALIA'S CONCERN TO PROMOTE SELF-DETERMINATION, INCLUDING IN WESTERN SAHARA. WE SAID THAT WE WOULD OF COURSE REPORT HIS REPRESENTATIONS TO CANBERRA BUT THAT, IN ALL FRANKNESS, WE SAW NO LIKELIHOOD OF ANY CHANGE IN OUR VOTE IN THE PLENARY. INDEED (WE ADDED) OUR VOTING POSITION HAD BEEN RECONFIRMED FROM CANBERRA ONLY THIS MORNING.

6. IT WAS AT THAT POINT THAT THE MOROCCAN AMBASSADOR REFERRED TO THE UPCOMING VOTE ON EAST TIMOR. HE SAID THAT HE COULD TELL US THAT HE HAD BEEN DISCUSSING CONFIDENTIALLY WITH SEVERAL ASEAN DELEGATIONS THE POSSIBILITIES OF THEIR SPEAKING TO AUSTRALIA ABOUT ABSTAINING ON THE WESTERN SAHARA TEXT IN EXCHANGE FOR WHICH MOROCCO WOULD THEN BE ABLE TO CONSIDER A NEGATIVE VOTE ON EAST TIMOR. THE MOROCCAN AMBASSADOR SAID THAT HE WAS OBVIOUSLY SOMEWHAT RETICENT ABOUT RAISING THIS MATTER WITH US DIRECTLY BUT THAT PERHAPS WE SHOULD BE AWARE OF MOROCCO'S POSITION IN ORDER THAT WE MIGHT TAKE IT INTO ACCOUNT IN REACHING OUR OWN FINAL DECISION ON WESTERN SAHARA.

7. WE DID NOT RESPOND SPECIFICALLY OTHER THAN TO REPEAT THAT OUR INSTRUCTIONS TO VOTE FOR THE WESTERN SAHARA TEXT WERE FIRM. WE HAD, HOWEVER, BEEN AWARE THAT MOROCCO HAD PREVIOUSLY RAISED WITH THE ASEANS THE POSSIBILITY OF A ''DEAL''. IN PARTICULAR IT WAS MENTIONED TO US BY THE THAI PERMAMENT REPRESENTATIVE LATE LAST WEEK. WE GAVE HIM NO ENCOURAGEMENT AT THE TIME TO BELIEVE THAT SUCH A DEAL INVOLVING AUSTRALIA WOULD BE POSSIBLE. THIS POSITION WOULD SEEM TO BE CONFIRMED BY THE ADVICE IN O.CH75419. IT DOES OCCUR TO US, HOWEVER, THAT THERE MIGHT BE POSSIBILITIES FOR AN ARRANGEMENT GOVERNING AUSTRALIA'S POSITION NEXT YEAR, INCLUDING IN THE HUMAN RIGHTS COMMISSION. FOR REASONS OUTLINED IN REFTEL (AND EARLIER IN O.UN23237 AND A LETTER ADDRESSED TO JAMES OF 25 FEBRUARY 1982) WE BELIEVE THAT THE GENERAL ISSUE OF OUR VOTING ON WESTERN SAHARA REQUIRES REVIEW AND PERHAPS RECONSIDERATION. SO MUCH THE BETTER WERE WE ABLE TO EXTRACT SUPPORT FROM MOROCCO ON THE TIMOR ISSUE IN RETURN. THE POSSIBILITIES MIGHT AT LEAST BE WORTH TESTING.

8. THE QUESTION THAT NEEDS TO BE ADDRESSED IS WHETHER, IN TERMS OF ENCOURAGING THE MOROCCANS TO A MORE FORTHCOMING POSITION ON THE TIMOR VOTE, WE MIGHT NOT OFFER TO THEM AN UNDERTAKING THAT WE WOULD REVIEW OUR POSITION ON WESTERN SAHARA BETWEEN NOW AND THE MEETING OF THE HUMAN RIGHTS COMMISSION IN FEBRUARY/MARCH. WE COULD EXPLAIN TO THE MOROCCANS THAT AN UNDERTAKING TO REVIEW WOULD BE NO MORE THAN THAT, THAT WE COULD GIVE NO GUARANTEES ABOUT THE OUTCOME, AND INDEED THAT

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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FIRST

ACTION: MR. J. STAREY(IO)
COPY NO. 1

INWARD CABLEGRAM

IN

3-O.UN25840

OUR SYSTEM OF GOVERNMENT WOULD PRECLUDE ANY ABSOLUTE PRIOR COMMITMENT. AT THE SAME TIME OF COURSE IT WOULD HAVE TO BE EXPECTED THAT SUCH AN OFFER WOULD ENGENDER EXPECTATIONS OF A MORE SYMPATHETIC AUSTRALIAN POSITION. OUR ARGUMENT IS THAT A MORE NEUTRAL AUSTRALIAN POSITION ON WESTERN SAHARA IS REQUIRED IN ANY EVENT.

DISTRIBUTION IS LIMITED ONLY TO :

ACTION: FOREIGN AFFAIRS

ACTION: MR.J.STAREY(IO) OGBAAFA

MR.P.HENDERSON(SEC) MR.A.PARSONS(DEP-A)
MR.G.FEAKES(DEP-B) MR.G.NUTTER(SEP)
MRS.T.SHAND(SEA) MR.R.GREET(IOAME) MR.W.BRAY(LT)

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

IN

CONFIDENTIAL
FIRST

RESTRICTED
FIRST

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

O.AL6420 CWCH
TOR 02.28 21.11.82

O.AL6420 1430 20.11.82 CLA FIRST

TO.
PP CANBERRA/4930

RP.
PP UN NEW YORK/245 PARIS EMB/992

FM. ALGIERS /

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

FROM FILE 921/15

ON 20 NOVEMBER AMBASSADOR WAS CALLED IN BY BERRACHED, ACTING DIRECTOR, ASIA-LATIN AMERICAN DIRECTORATE, AND SEFERDJELI, EAST ASIAN SUB-DIRECTORATE, MINISTRY OF FOREIGN AFFAIRS. BERRACHED SAID THAT, WHILE HE WISHED TO EXPRESS HIS APPRECIATION FOR AUSTRALIA'S VOTE IN THE FOURTH COMMITTEE IN SUPPORT OF THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO THE WESTERN SAHARA, IT HAD COME TO HIS ATTENTION THAT AUSTRALIA MAY BE RECONSIDERING VOTE ON THE ALGERIAN RESOLUTION WHEN THE MATTER WAS TAKEN IN PLENARY. HE ASKED THAT YOU BE INFORMED OF ALGERIA'S WISH THAT AUSTRALIA MAINTAIN ITS SUPPORT IN PLENARY. ALGERIA WOULD BE DISAPPOINTED IF, AT THIS STAGE, 1THERE WAS TO BE A CHANGE IN AUSTRALIA'S POSITION.

2. BERRACHED SAID THAT THE ALGERIAN RESOLUTION HAD BEEN A MILDER FORMULATION THAN THE VERSION ON WHICH AUSTRALIA HAD ABSTAINED LAST YEAR IN THE UNGA. HE NOTED THAT:

(1) TO MEET THE POSITION OF NON-RECOGNISING STATES THE RESOLUTION REFRAINED FROM MENTIONING THE SADR.

(2) IT DID NOT REFER TO POLISARIO AS THE ''SOLE AND AUTHENTIC'' REPRESENTATIVE OF THE SAHARAN PEOPLE, A FORMLATION WITH WHICH SOME COUNTRIES HAVE FOUND DIFFICULTY.

(3) ITS OBJECTIVE WAS THE APPLICATION TO THE WESTERN SAHARA OF THE PRINCIPLE OF SELF-DETERMINATION IN ACCORANCE WITH SUCCESSIVE UNITED NATIONS AND OAU RESOLUTIONS.

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RESTRICTED
FIRST

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

IN

2-O.AL6420

(4) IT WAS NOT ENOUGH SIMPLY TO PASS A RESOLUTION LEAVING MATTERS IN THE HANDS OF THE OAU. IT WAS A UNITED NATIONS RESPONSIBILITY TO PROMOTE THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO FORMER COLONIAL TERRITORIES.

3. THE AMBASSADOR SAID THAT HE WAS NOT AWARE OF ANY PROPOSAL THAT AUSTRALIA SHOULD RECONSIDER ITS VOTE BUT THAT HE WOULD ENQUIRE AND WOULD REPORT THESE VIEWS.

COMMENT (UNDERLINED)
4. WE WOULD BE GLAD TO LEARN IF YOU ARE INDEED RECONSIDERING OUR VOTE ON THIS ITEM. WHILE WE APPRECIATE YOUR WISH, IF POSSIBLE, TO AVOID OFFENDING EITHER MOROCCO OR ALGERIA, A CHANGE IN OUR VOTE WILL BE NOTED HERE.

5. IT IS DIFFICULT TO OFFER SPECIFIC COMMENT WITHOUT HAVING SEEN THE RELEVANT EXCHANGES, INCLUDING THE FULL TEXTS OF THE RESOLUTIONS. HOWEVER, FROM THE VERSION THAT HAS BEEN PUBLISHED HERE, IT WOULD SEEM TO US THAT THE ALGERIAN RESOLUTION IS NOT INCONSISTENT WITH AUSTRALIA'S LONGSTANDING POSITION THAT ''POLISARIO IS A PARTY TO THE DISPUTE WITH A ROLE TO PLAY IN PEACE NEGOTIATIONS'' (O.CH 923808 AND ACTING SECRETARY'S LETTER TO AMBASSADOR DATED 14 OCTOBER, 1981 - SEE O.AL5338 OF 1981 AND PARAS 20 AND 21 OF OUR 1981 ANNUAL REVIEW). WE NOTE THAT THE RELEVANT OAU RESOLUTION CALLS ON THE ''PARTIES TO THE CONFLICT'' TO ESTABLISH A CEASE-FIRE THROUGH NEGOTIATIONS. THESE HAVE NOT TAKEN PLACE AND AS MATTERS STAND THERE IS NO REASON TO BELIEVE THAT THEY WILL TAKE PLACE. UNLESS THERE IS SOME INTERNATIONAL COMMUNITY PRESSURE FOR NEGOTIATIONS, THE PROSPECTS FOR A CESSATION OF HOSTILITIES WILL FURTHER RECEDE.

6. AS WE UNDERSTAND VOTE IN PLENARY IS SCHEDULED FOR 22 NOVEMBER, GLAD URGENT ADVICE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

.../3

IN

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

RESTRICTED
FIRST

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

3-O.AL6420

ACTION: IO
AME

OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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RESTRICTED
FIRST

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

O.AL6420 CWCH
TOR 02.28 21.11.82

O.AL6420 1430 20.11.82 CLA FIRST

TO.
PP CANBERRA/4930

RP.
PP UN NEW YORK/245 PARIS EMB/992

FM. ALGIERS /

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

FROM FILE 921/15

ON 20 NOVEMBER AMBASSADOR WAS CALLED IN BY BERRACHED, ACTING DIRECTOR, ASIA-LATIN AMERICAN DIRECTORATE, AND SEFERDJELI, EAST ASIAN SUB-DIRECTORATE, MINISTRY OF FOREIGN AFFAIRS. BERRACHED SAID THAT, WHILE HE WISHED TO EXPRESS HIS APPRECIATION FOR AUSTRALIA'S VOTE IN THE FOURTH COMMITTEE IN SUPPORT OF THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO THE WESTERN SAHARA, IT HAD COME TO HIS ATTENTION THAT AUSTRALIA MAY BE RECONSIDERING VOTE ON THE ALGERIAN RESOLUTION WHEN THE MATTER WAS TAKEN IN PLENARY. HE ASKED THAT YOU BE INFORMED OF ALGERIA'S WISH THAT AUSTRALIA MAINTAIN ITS SUPPORT IN PLENARY. ALGERIA WOULD BE DISAPPOINTED IF, AT THIS STAGE, 1THERE WAS TO BE A CHANGE IN AUSTRALIA'S POSITION.

2. BERRACHED SAID THAT THE ALGERIAN RESOLUTION HAD BEEN A MILDER FORMULATION THAN THE VERSION ON WHICH AUSTRALIA HAD ABSTAINED LAST YEAR IN THE UNGA. HE NOTED THAT:

(1) TO MEET THE POSIPION OF NON-RECOGNISING STATES THE RESOLUTION REFRAINED FROM MENTIONING THE SADR.

(2) IT DID NOT REFER TO POLISARIO AS THE ''SOLE AND AUTHENTIC'' REPRESENTATIVE OF THE SAHARAN PEOPLE, A FORMLATION WITH WHICH SOME COUNTRIES HAVE FOUND DIFFICULTY.

(3) ITS OBJECTIVE WAS THE APPLICATION TO THE WESTERN SAHARA OF THE PRINCIPLE OF SELF-DETERMINATION IN ACCORANCE WITH SUCCESSIVE UNITED NATIONS AND OAU RESOLUTIONS.

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RESTRICTED
FIRST

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.AL6420

(4) IT WAS NOT ENOUGH SIMPLY TO PASS A RESOLUTION LEAVING MATTERS IN THE HANDS OF THE OAU. IT WAS A UNITED NATIONS RESPONSIBILITY TO PROMOTE THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO FORMER COLONIAL TERRITORIES.

3. THE AMBASSADOR SAID THAT HE WAS NOT AWARE OF ANY PROPOSAL THAT AUSTRALIA SHOULD RECONSIDER ITS VOTE BUT THAT HE WOULD ENQUIRE AND WOULD REPORT THESE VIEWS.

COMMENT (UNDERLINED)
4. WE WOULD BE GLAD TO LEARN IF YOU ARE INDEED RECONSIDERING OUR VOTE ON THIS ITEM. WHILE WE APPRECIATE YOUR WISH, IF POSSIBLE, TO AVOID OFFENDING EITHER MOROCCO OR ALGERIA, A CHANGE IN OUR VOTE WILL BE NOTED HERE.

5. IT IS DIFFICULT TO OFFER SPECIFIC COMMENT WITHOUT HAVING SEEN THE RELEVANT EXCHANGES, INCLUDING THE FULL TEXTS OF THE RESOLUTIONS. HOWEVER, FROM THE VERSION THAT HAS BEEN PUBLISHED HERE, IT WOULD SEEM TO US THAT THE ALGERIAN RESOLUTION IS NOT INCONSISTENT WITH AUSTRALIA'S LONGSTANDING POSITION THAT ''POLISARIO IS A PARTY TO THE DISPUTE WITH A ROLE TO PLAY IN PEACE NEGOTIATIONS'' (O.CH 923808 AND ACTING SECRETARY'S LETTER TO AMBASSADOR DATED 14 OCTOBER, 1981 - SEE O.AL5338 OF 1981 AND PARAS 20 AND 21 OF OUR 1981 ANNUAL REVIEW). WE NOTE THAT THE RELEVANT OAU RESOLUTION CALLS ON THE ''PARTIES TO THE CONFLICT'' TO ESTABLISH A CEASE-FIRE THROUGH NEGOTIATIONS. THESE HAVE NOT TAKEN PLACE AND AS MATTERS STAND THERE IS NO REASON TO BELIEVE THAT THEY WILL TAKE PLACE. UNLESS THERE IS SOME INTERNATIONAL COMMUNITY PRESSURE FOR NEGOTIATIONS, THE PROSPECTS FOR A CESSATION OF HOSTILITIES WILL FURTHER RECEDE.

6. AS WE UNDERSTAND VOTE IN PLENARY IS SCHEDULED FOR 22 NOVEMBER, GLAD URGENT ADVICE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

.../3

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED
FIRST

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

3-O.AL6420

ACTION: IO
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OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED
FIRST

RESTRICTED
FIRST

CB - we might need to rebuke UNNY over this. Pls. discuss.

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

IN

O.AL6420 CWCH
TOR 02.28 21.11.82

O.AL6420 1430 20.11.82 CLA FIRST

TO.
PP CANBERRA/4930

RP.
PP UN NEW YORK/245 PARIS EMB/992

FM. ALGIERS /

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA

FROM FILE 921/15

ON 20 NOVEMBER AMBASSADOR WAS CALLED IN BY BERRACHED, ACTING DIRECTOR, ASIA-LATIN AMERICAN DIRECTORATE, AND SEFERDJELI, EAST ASIAN SUB-DIRECTORATE, MINISTRY OF FOREIGN AFFAIRS. BERRACHED SAID THAT, WHILE HE WISHED TO EXPRESS HIS APPRECIATION FOR AUSTRALIA'S VOTE IN THE FOURTH COMMITTEE IN SUPPORT OF THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO THE WESTERN SAHARA, IT HAD COME TO HIS ATTENTION THAT AUSTRALIA MAY BE RECONSIDERING VOTE ON THE ALGERIAN RESOLUTION WHEN THE MATTER WAS TAKEN IN PLENARY. HE ASKED THAT YOU BE INFORMED OF ALGERIA'S WISH THAT AUSTRALIA MAINTAIN ITS SUPPORT IN PLENARY. ALGERIA WOULD BE DISAPPOINTED IF, AT THIS STAGE, ITHERE WAS TO BE A CHANGE IN AUSTRALIA'S POSITION.

2. BERRACHED SAID THAT THE ALGERIAN RESOLUTION HAD BEEN A MILDER FORMULATION THAN THE VERSION ON WHICH AUSTRALIA HAD ABSTAINED LAST YEAR IN THE UNGA. HE NOTED THAT:

(1) TO MEET THE POSIPION OF NON-RECOGNISING STATES THE RESOLUTION REFRAINED FROM MENTIONING THE SADR.

(2) IT DID NOT REFER TO POLISARIO AS THE ''SOLE AND AUTHENTIC'' REPRESENTATIVE OF THE SAHARAN PEOPLE, A FORMLATION WITH WHICH SOME COUNTRIES HAVE FOUND DIFFICULTY.

(3) ITS OBJECTIVE WAS THE APPLICATION TO THE WESTERN SAHARA OF THE PRINCIPLE OF SELF-DETERMINATION IN ACCORANCE WITH SUCCESSIVE UNITED NATIONS AND OAU RESOLUTIONS.

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RESTRICTED
FIRST

IN

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.AL6420

(4) IT WAS NOT ENOUGH SIMPLY TO PASS A RESOLUTION LEAVING MATTERS IN THE HANDS OF THE OAU. IT WAS A UNITED NATIONS RESPONSIBILITY TO PROMOTE THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION TO FORMER COLONIAL TERRITORIES.

3. THE AMBASSADOR SAID THAT HE WAS NOT AWARE OF ANY PROPOSAL THAT AUSTRALIA SHOULD RECONSIDER ITS VOTE BUT THAT HE WOULD ENQUIRE AND WOULD REPORT THESE VIEWS.

COMMENT (UNDERLINED)
4. WE WOULD BE GLAD TO LEARN IF YOU ARE INDEED RECONSIDERING OUR VOTE ON THIS ITEM. WHILE WE APPRECIATE YOUR WISH, IF POSSIBLE, TO AVOID OFFENDING EITHER MOROCCO OR ALGERIA, A CHANGE IN OUR VOTE WILL BE NOTED HERE.

5. IT IS DIFFICULT TO OFFER SPECIFIC COMMENT WITHOUT HAVING SEEN THE RELEVANT EXCHANGES, INCLUDING THE FULL TEXTS OF THE RESOLUTIONS. HOWEVER, FROM THE VERSION THAT HAS BEEN PUBLISHED HERE, IT WOULD SEEM TO US THAT THE ALGERIAN RESOLUTION IS NOT INCONSISTENT WITH AUSTRALIA'S LONGSTANDING POSITION THAT ''POLISARIO IS A PARTY TO THE DISPUTE WITH A ROLE TO PLAY IN PEACE NEGOTIATIONS'' (O.CH 923808 AND ACTING SECRETARY'S LETTER TO AMBASSADOR DATED 14 OCTOBER, 1981 - SEE O.AL5338 OF 1981 AND PARAS 20 AND 21 OF OUR 1981 ANNUAL REVIEW). WE NOTE THAT THE RELEVANT OAU RESOLUTION CALLS ON THE ''PARTIES TO THE CONFLICT'' TO ESTABLISH A CEASE-FIRE THROUGH NEGOTIATIONS. THESE HAVE NOT TAKEN PLACE AND AS MATTERS STAND THERE IS NO REASON TO BELIEVE THAT THEY WILL TAKE PLACE. UNLESS THERE IS SOME INTERNATIONAL COMMUNITY PRESSURE FOR NEGOTIATIONS, THE PROSPECTS FOR A CESSATION OF HOSTILITIES WILL FURTHER RECEDE.

6. AS WE UNDERSTAND VOTE IN PLENARY IS SCHEDULED FOR 22 NOVEMBER, GLAD URGENT ADVICE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED
FIRST

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

3-O.AL6420

ACTION: IO OGBAAFA
AME

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED
FIRST

RESTRICTED

935/28/2

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

O.AL6415 PSWI
TOR 01.53 18.11.82

O.AL6415 1400 16.11.82 CLA

TO.
RR CANBERRA/4927

RR UN NEW YORK/244 PARIS EMB/991 NAIROBI/52

FM. ALGIERS /

R E S T R I C T E D

UNGA : WESTERN SAHARA

FROM FILE 921/15

DURING THE COURSE OF A CALL ON ANOTHER MATTER, SEMICHI (ACTING DIRECTOR OF POLITICAL AFFAIRS, MINISTRY OF FOREIGN AFFAIRS) EXPRESSED APPRECIATION FOR AUSTRALIA'S VOTE IN SUPPORT OF THE RESOLUTION ON SELF-DETERMINATION FOR THE WESTERN SAHARA. HE SAID THAT AUSTRALIA'S CONTINUED SUPPORT FOR THE APPLICATION OF THAT PRINCIPLE TO THE WESTERN SAHARA WAS APPRECIATED.

2. SEMICHI NOTED THAT ONLY A DOZEN COUNTRIES HAD VOTED AGAINST THE RESOLUTION. HE BELIEVED THAT THE CONSIDERABLE NUMBER OF ABSTENTIONS INCLUDED MANY COUNTRIES WHO, WHILE SUPPORTING THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION IN THIS CASE, PREFERRED TO LEAVE MATTERS IN THE HANDS OF THE OAU. HE REITERATED ALGERIA'S POSITION THAT, WHILE OF COURSE THE OAU HAD AN IMPORTANT ROLE TO PLAY AND DUE WEIGHT HAD TO BE GIVEN TO THE VIEWS OF REGIONAL STATES, THE UNITED NATIONS HAD ITS OWN CHARTER RESPONSIBILITIES WHICH COULD NOT SIMPLY BE PUSHED OFF ONTO THE OAU. SEMICHI WOULD NOT BE DRAWN ON THE IMPLICATIONS OF THE VOTE FOR THE TRIPOLI SUMMIT.

3. SEMICHI ADDED (FOR REASONS WHICH HAVE BECOME CLEARER TO US SINCE RECEIPT OF O.UN25733) THAT RESPECT FOR THE SAME PRINCIPLE OF SELF-DETERMINATION PLAYED A LARGE PART IN THE ALGERIAN POSITION ON THE EAST TIMOR ISSUE.

4. GRATEFUL IF WE COULD HAVE IN DUE COURSE DETAILS OF THE TEXTS UNDER DISCUSSION IN NEW YORK, AS WELL AS VOTING PARTICULARS AND ANY ANALYSIS OF THE OUTCOME.

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RESTRICTED

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

INFO: FAS(IOAME)
COPY NO. 1

INWARD CABLEGRAM

2-O.AL6415

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED

(F) 935/25/18/2

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

IN

O.UN25756 JAMC
TOR 12.52 17.11.82

O.UN25756 1910 16.11.82 CLA

TO.
PP CANBERRA/4570

RP.
RR WASHINGTON/6894 WELLINGTON/869 PORT MORESBY/453
RR SUVA/285

FM. UN NEW YORK / REF O.UN25738

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 TTPI.

FROM FILE 103/3/4, 409/5

AS FORESHADOWED IN REFTEL THE CHAIRMAN OF THE COMMITTEE OF 24 IN CONSULTATION WITH CHAIRMAN OF THE FOURTH COMMITTEE AND THE DELEGATIONS OF THE SOVIET UNION AND THE UNITED STATES ARRIVED AT A COMPROMISE ON THE HANDLING OF TTPI WHEREBY THE CHAIRMAN OF THE FOURTH COMMITTEE ANNOUNCED THE FOLLOWING WORDING:

''IN CONNECTION WITH THE RESOLUTION CONTAINED IN A/37/23(PART V) ADD 2 CONCERNING TTPI, ON THE BASIS OF CONSULTATIONS I HAVE HAD WITH THE CHAIRMAN OF THE COMMITTEE OF 24 AND A NUMBER OF OTHER DELEGATIONS I WISH TO SUGGEST THAT THE FOURTH COMMITTEE DOES NOT AT THIS STAGE TAKE ANY ACTION ON THE DRAFT RESOLUTION.''

2. THE CHAIRMAN'S SUGGESTION WAS CARRIED BY CONSENSUS. THE GENERAL ASSEMBLY WILL THUS NOT ADDRESS ITSELF TO THE ISSUE OF TTPI AT THIS SESSION EXCEPT THAT, AS IN PREVIOUS YEARS, IT WILL TAKE NOTE OF THE REPORT OF THE COMMITTEE OF 24. THE REPORT INCLUDES THE COMMITTEE 24 RESOLUTIONS ON TTPI AND PUERTO RICA IN ADDITION TO THOSE RESOLUTIONS FORMALLY CONSIDERED BY THE FOURTH COMMITTEE.

ACTION: FOREIGN AFFAIRS
ONA

DEP DEFENCE DEP P M AND CABINET JIO

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

IN

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.UN25756

ACTION: IO OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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Y AFGHANISTAN	A CHILE	A GERMANY,F.R.	A LEBANON	Y PANAMA	Y SWAZILAND		
Y ALBANIA	CHINA	Y GHANA	LESOTHO	A PAPUA N GUINEA	Y SWEDEN		
Y ALGERIA	Y COLOMBIA	Y GREECE	A LIBERIA	A PARAGUAY	Y SYRIAN A.R.		
Y ANGOLA	A COMOROS	Y GRENADA	Y LIBYAN A.J.	Y PERU	A THAILAND		
ANTIGUA/BARBUDA Y	CONGO	A GUATEMALA	A LUXEMBOURG	A PHILIPPINES	TOGO		
Y ARGENTINA	Y COSTA RICA	N GUINEA	Y MADAGASCAR	Y POLAND	Y TRINIDAD-TOBAGO		
Y AUSTRALIA	Y CUBA	Y GUINEA-BISSAU	Y MALAWI	A PORTUGAL	A TUNISIA		
A AUSTRIA	Y CYPRUS	Y GUYANA	A MALAYSIA	A QATAR	A TURKEY		
Y BAHAMAS	Y CZECHOSLOVAKIA	Y HAITI	A MALDIVES	ROMANIA	Y UGANDA		
A BAHREIN	A DEM.KAMPUCHEA	HONDURAS	Y MALI	Y RWANDA	Y UKRAINIAN SSR		
A BANGLADESH	Y DEM YEMEN	Y HUNGARY	MALTA	A SAINT LUCIA	Y U.S.S.R.		
Y BARBADOS	A DENMARK	A ICELAND	Y MAURITANIA	ST VINCENT-GREN	A U.A.EMIRATES		
A BELGIUM	A DJIBOUTI	Y INDIA	Y MAURITIUS	A SAMOA	A UNITED KINGDOM		
BELIZE	DOMINICA	A INDONESIA	Y MEXICO	Y SAO TOME/PRINC.	A U.R.CAMEROON		
Y BENIN	A DOMINICAN REP.	Y IRAN	Y MONGOLIA	A SAUDI ARABIA	Y U.R.TANZANIA		
Y BHUTAN	Y ECUADOR	IRAQ	N MOROCCO	N SENEGAL	N UNITED STATES		
Y BOLIVIA	A EGYPT	A IRELAND	Y MOZAMBIQUE	Y SEYCHELLES	N UPPER VOLTA		
Y BOTSWANA	N EL SALVADOR	A ISRAEL	A NEPAL	Y SIERRA LEONE	A URUGUAY		
Y BRAZIL	N EQUAT.GUINEA	A ITALY	A NETHERLANDS	SINGAPORE	Y VANUATU		
Y BULGARIA	Y ETHIOPIA	IVORY COAST	A NEW ZEALAND	Y SOLOMON ISLANDS	Y VENEZVELA		
A BURMA	Y FIJI	Y JAMAICA	Y NICARAGUA	A SOMALIA	Y VIET NAM		
Y BURUNDI	Y FINLAND	A JAPAN	A NIGER	SOUTH AFRICA	A YEMEN		
Y BYELORUSSIANSSR	A FRANCE	A JORDAN	A NIGERIA	A SPAIN	Y YUGOSLAVIA		
A CANADA	N GABON	A KENYA	A NORWAY	Y SRI LANKA	N ZAIRE		
Y CAPE VERDE	N GAMBIA	KUWAIT	A OMAN	A SUDAN	Y ZAMBIA		
A CENTR.AFRIC.REP	Y GERMAN D.R.	Y LAO P.D.R.	PAKISTAN	Y SURINAME	ZIMBABWE		
N CHAD							

DAY-MONTH: 12-11 AGENDA ITEMS: 000 - 018 VOTE NO:01 ROLL CALL > RECORDED NON RECORDED

ADOPTED 074 YES 012 NO 055 ABSTAIN

GENERAL ASSEMBLY THIRTY-SEVENTH REGULAR SESSION .....PLENARY MEETING 22ND MEETING OF THE FOURTH.....COMMITTEE

VOTE SUBJECT: AGENDA ITEM 18 — QUESTION OF WESTERN SAHARA

VOTE TIME: 19:01 DRAFT RESOLUTION A/C.4/37/L.6/REV.1

F-UN648

IN FACSIMILE - History Slip

	DATE/TIME	INITIALS
ANALYSED	13/2/13	GAFR
REPRODUCED	0840/15/2	
DISTRIBUTED		

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INWARD CABLEGRAM

O.AL6415 PSWI
TOR 01.53 18.11.82

O.AL6415 1400 16.11.82 CLA

TO.
RR CANBERRA/4927

RR UN NEW YORK/244 PARIS EMB/991 NAIROBI/52

FM. ALGIERS /

R E S T R I C T E D

UNGA : WESTERN SAHARA

FROM FILE 921/15

DURING THE COURSE OF A CALL ON ANOTHER MATTER, SEMICHI (ACTING DIRECTOR OF POLITICAL AFFAIRS, MINISTRY OF FOREIGN AFFAIRS) EXPRESSED APPRECIATION FOR AUSTRALIA'S VOTE IN SUPPORT OF THE RESOLUTION ON SELF-DETERMINATION FOR THE WESTERN SAHARA. HE SAID THAT AUSTRALIA'S CONTINUED SUPPORT FOR THE APPLICATION OF THAT PRINCIPLE TO THE WESTERN SAHARA WAS APPRECIATED.

2. SEMICHI NOTED THAT ONLY A DOZEN COUNTRIES HAD VOTED AGAINST THE RESOLUTION. HE BELIEVED THAT THE CONSIDERABLE NUMBER OF ABSTENTIONS INCLUDED MANY COUNTRIES WHO, WHILE SUPPORTING THE APPLICATION OF THE PRINCIPLE OF SELF-DETERMINATION IN THIS CASE, PREFERRED TO LEAVE MATTERS IN THE HANDS OF THE OAU. HE REITERATED ALGERIA'S POSITION THAT, WHILE OF COURSE THE OAU HAD AN IMPORTANT ROLE TO PLAY AND DUE WEIGHT HAD TO BE GIVEN TO THE VIEWS OF REGIONAL STATES, THE UNITED NATIONS HAD ITS OWN CHARTER RESPONSIBILITIES WHICH COULD NOT SIMPLY BE PUSHED OFF ONTO THE OAU. SEMICHI WOULD NOT BE DRAWN ON THE IMPLICATIONS OF THE VOTE FOR THE TRIPOLI SUMMIT.

3. SEMICHI ADDED (FOR REASONS WHICH HAVE BECOME CLEARER TO US SINCE RECEIPT OF O.UN25733) THAT RESPECT FOR THE SAME PRINCIPLE OF SELF-DETERMINATION PLAYED A LARGE PART IN THE ALGERIAN POSITION ON THE EAST TIMOR ISSUE.

4. GRATEFUL IF WE COULD HAVE IN DUE COURSE DETAILS OF THE TEXTS UNDER DISCUSSION IN NEW YORK, AS WELL AS VOTING PARTICULARS AND ANY ANALYSIS OF THE OUTCOME.

.../2

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.AL6415

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED

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ACTION: IO
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INWARD CABLEGRAM

O.UN25733 KPMO
TOR 11.51 16.11.82

O.UN25733 1910 15.11.82 CLA

TO.
PP CANBERRA/4549

RP.
PP ALGIERS/180 PARIS EMB/1414

FM. UN NEW YORK /

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA.

THE ALGERIAN PERMANENT REPRESENTATIVE (SAHNOUN) SOUGHT US OUT IN PLENARY TODAY 15 NOVEMBER, TO THANK US FOR OUR SUPPORT ON WESTERN SAHARA. SAHNOUN SAID THAT OUR POSITIVE VOTE WOULD SEND THE RIGHT SORT OF SIGNAL TO MOROCCO WHICH SHOULD, HE CONTINUED, BE LOOKING FOR A WAY TO ENTER NEGOTIATIONS RATHER THAN THE USE OF FORCE. HE ADDED THAT ALGERIA HAD NO PREFERENCE FOR THE RESULT OF AN ACT OF SELF-DETERMINATION. IF THE INHABITANTS CHOSE SOME FORM OF FEDERATION WITH MOROCCO THAT WOULD BE ACCEPTABLE.

2. WE REPLIED TO THE AMBASSADOR THAT WE HAD CONSIDERED OUR VOTE VERY CAREFULLY AND HAD NEARLY OPTED FOR ABSTENTION AS A SIGN OF NEUTRALITY AND SUPPORT FOR THE OAU. OUR COMMITMENT TO THE PRINCIPLES OF SELF DETERMINATION AND PEACEFUL SETTLEMENT HAD SWUNG OUR VOTE.

3. WE CONTINUED, IN A LIGHTHEARTED VEIN, THAT ALGERIA SHOULD SHOW ITS APPRECIATION BY SWITCHING TO AN ABSTENTION ON THE EAST TIMOR VOTE. THE AMBASSADOR REPLIED THAT ALGERIA HAD ALREADY MOVED A LITTLE BY NO LONGER CO-SPONSORING THE RESOLUTION. TO MOVE TO AN ABSTENTION STRAIGHT OFF WOULD BE GOING TOO FAR TOO FAST.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

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RESTRICTED

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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INWARD CABLEGRAM

2-O.UN25733

ACTION: IO OGBAAFA
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MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
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FAS(ECO) FAS(LT) IL FAREP-M FAREP-P
FAREP-S

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INWARD CABLEGRAM

O.AL6395 RHOW
TOR 18.52 15.11.82

O.AL6395 0930 14.11.82 CLA

TO.
RR CANBERRA/4910

RP.
RR PARIS EMB/988 NAIROBI/49

FM. ALGIERS /

C O N F I D E N T I A L

ALGERIA : FOREIGN POLICY

FROM FILE 800/1

THE FRENCH MINISTER FOR TRANSPORT (M. CHARLES FITERMAN) WHO IS A MEMBER OF THE FRENCH COMMUNIST PARTY, WAS GIVEN AN UNSCHEDULED MEETING WITH PRESIDENT CHADLI DURING THE COURSE OF HIS RECENT VISIT TO ALGIERS.

2. WE WERE INFORMED THAT CHADLI USED THE OCCASION TO REFER TO ALGERIA'S DESIRE TO SEE A SETTLEMENT OF REGIONAL PROBLEMS, INCLUDING THE WESTERN SAHARA DISPUTE, AND TO EMPHASISE THAT ALGERIA HAD NO WISH TO UNDERMINE KING HASSAN'S POSITION. CHADLI DWELT AT LENGTH WITH ALGERIA'S PROBLEMS AND PREOCCUPATIONS IN THE FIELD OF DOMESTIC ECONOMIC DEVELOPMENT AS IF TO EMPHASISE THAT THE GOVERNMENT'S MAIN PRIORITIES LAY IN THAT DIRECTION.

3. THIS VERSION OF ALGERIA'S PRIORITIES SEEMS CONSISTENT WITH WHAT WE HAVE HEARD OF THE LINE THAT CHADLI HAS TAKEN IN THE PAST WITH OTHER WESTERN EUROPEAN VISITORS. BUT IT MAY ALSO REFLECT A REACTION TO MORE RECENT INTERNATIONAL DEVELOPMENTS. ALGERIA CERTAINLY APPEARS TO HAVE BEEN INSTRUMENTAL IN PERSUADING POLISARIO TO MAKE ITS RECENT ANNOUNCEMENT THAT IT WOULD BE PREPARED NOT TO ATTEND A RECONVENED OAU SUMMIT IN TRIPOLI. THIS REFLECTED A CONSIDERABLE BACKING OFF FROM THE POSITION ALGERIA HAD EARLIER ADOPTED WHEN IT WAS CLOSELY INVOLVED IN ORGANISING THE SEATING OF THE RASD AT THE OAU FOREIGN MINISTERS' MEETING AT ADDIS ABABA. THE PROJECTED VISIT OF KING FAHD TO ALGIERS (O.AL6390) SEEMS TO POINT IN THE SAME DIRECTION.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

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CONFIDENTIAL

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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INFO: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.AL6395

ACTION: AME JAE

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) NUC DEF DPR FAS(IOAME)
IO FAS(ECO) FAS(LT) FAS(MFS) FAREP-M
FAREP-P FAREP-S DIR-ADAB

ACCRA CAIRO DAR ES SALAAM LAGOS MADRID MALTA MOSCOW TEHRAN
UN NEW YORK WASHINGTON

IN

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OUTWARD CABLEGRAM

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O.CH073634 RHOW

O.CH073634 1728 12.11.82 CLA FIRST

TO.
PP UN NEW YORK/690

RP.
PP PARIS EMB/8122 ALGIERS/8808

FM. CANBERRA / REF O.UN25675

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FILE 935/28/2

WE ARE CONCERNED TO FOLLOW A BALANCED APPROACH TO THIS ITEM. WITH THIS IN MIND AND CONSIDERING THE RESPECTIVE MERITS OF THE DRAFTS WE WOULD LIKE YOU TO:

A) SUPPORT MOROCCAN DRAFT (L.5/REV.1);
B) SUPPORT THE ALGERIAN-AMENDED DRAFT (L.5+A/C 4/37/L.12) PROVIDED YOU ARE IN COMPANY OF SOME OTHER WEOGS;
C) SUPPORT ALGERIAN TEXT (L.6) PROVIDED WE ARE IN COMPANY SIMILAR TO 1980 AND PROVIDED WE HAVE SUPPORTED THE MOROCCAN DRAFT. OTHERWISE YOU SHOULD ABSTAIN.

2. YOU SHOULD BE AWARE THAT WE HAVE SOME DIFFICULTIES WITH ALGERIAN DRAFTS REFERENCE TO MOROCCO AND POLISARIO AS "THE TWO PARTIES" TO THE DISPUTE. WE APPRECIATE, HOWEVER, THE DELETION OF THE PARA OF THE SADR.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

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OUT

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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ACTION: IO
COPY NO. 1

OUTWARD CABLEGRAM

OUT

2-O.CH073634

ACTION: IO OGBAAFA
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NAIROBI

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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935/28/2

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

IN

O.UN25675 GAFR
TOR 13.07 12.11.82

O.UN25675 2045 11.11.82 UNC FIRST

TO.
PP CANBERRA/4495

RP.
RR PARIS EMB/1411 ALGIERS/178

FM. UN NEW YORK / REF O.UN25658 F.UN637

U N C L A S S I F I E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FROM FILE 103/3/4 AND 412/1

ALGERIA AND A NUMBER OF ITS SUPPORTERS CIRCULATED AN AMENDMENT A/C3/37/L.12 TO THE DRAFT DECISION ON WESTERN SAHARA (A/C4/37/L5) ON 11 NOVEMBER. THE AMENDMENTS PROPOSED INTER ALIA THE INCLUSION OF A REFERENCE TO STATEMENTS BEFORE THE FOURTH COMMITTEE BY THE POLISARIO FRONT AND MOROCCO. AT THE CONCLUSION OF THE AFTERNOON SESSION THE COSPONSORS OF L.5 SUBMITTED A REVISION OF THEIR TEXT (L5/REVI) WHICH IS ALMOST IDENTICAL TO THE DRAFT CONSENSUS ADOPTED AT UNGA 36, THE ONLY DIFFERENCE IS IN THE ADDITION OF REFERENCES TO UNGA DECISION 36/406 AND THE MEETING OF THE IMPLEMENTATION COMMITTEE ON THE 8-9 FEBRUARY 1982 WHICH UP-DATED BUT DID NOT ALTER THE SUBSTANCE OF THE 1981 CONSENSUS.

2. WESTERN DELEGATIONS DID NOT HAVE AN OPPORTUNITY TO OBTAIN INSTRUCTIONS ON L.12 BUT THE GENERAL EXPECTATION WAS THAT THE EC 10 WITH THE POSSIBLE EXCEPTION OF GREECE WOULD ABSTAIN ON THE AMENDMENTS IN L12 AND THEN ABSTAIN ON L5 AS AMENDED ASSUMING THAT THE AMENDMENT HAD BEEN CARRIED. NOW THAT L5 REVI HAS BEEN TABLED, IF IT IS PUT TO THE VOTE IT IS LIKELY THAT MOST EC WILL SUPPORT IT. THE POSSIBILITY CANNOT BE RULED OUT HOWEVER THAT ALGERIA AND ITS FRIENDS WILL TRY TO INCORPORATE THE AMENDMENTS CONTAINED ON L.12 INTO L.5/REV.1.

3. WE HAVE BEEN ADVISED THAT SWEDEN HAS NOW RECEIVED INSTRUCTIONS TO SUPPORT THE ALGERIAN TEXT (L.6) AND THEY ARE LIKELY TO SUPPORT THE TEXT IN L.5/REV.1. FINLAND AND AUSTRALIA HAVE NOT YET RECEIVED FINAL INSTRUCTIONS ON THE ALGERIAN TEXT THOUGH EACH FORESHADOWED THE POSSIBILITY OF AN ABSTENTION. FINLAND SAID, HOWEVER, THAT THEIR POSITION MAY CHANGE IN THE LIGHT OF THE SWEDISH DECISION AND THEY MAY JOIN SWEDEN IN A POSITIVE VOTE.

4. THERE ARE 22 SPEAKERS STILL TO BE HEARD IN THE GENERAL DEBATE AND IT IS POSSIBLE THAT THE COMMITTEE MAY NOT PROCEED TO VOTE ON ANY OF

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FIRST

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

IN

2-O.UN25675

THE RESOLUTIONS BEFORE IT ON 12 NOVEMBER. THE AFRICANS ARE ANXIOUS TO PRESS AHEAD TO A VOTE ON WESTERN SAHARA ON 12 NOVEMBER BECAUSE OF THE OAU SUMMIT AND ARE EXPECTED TO PRESS FOR A VOTE TOMORROW AFTERNOON.

5. AS WE ADVISED IN O.UN25609 WE RECOMMENDED SUPPORT OF L5. WE BELIEVE THAT WE SHOULD SUPPORT L5/REV.1 ON SUBSTANTIVE GROUNDS. IN SO DOING WE WOULD BE IN THE COMPANY OF MOST WEOGS.

6. WE SHOULD BE GRATEFUL FOR ADVICE ON OUR VOTING POSITION ON L5 AND L6. THE TEXTS OF A/C.4/37/L12 AND L.5/REV1 ARE BEING SENT BY FAX. (FUN637).

AC. AAA'S FOR IO AND AME

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

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NAIROBI

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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(F) 935/28/V

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ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

O.UN25702 LATR
TOR 13.22 13.11.82

O.UN25702 2102 12.11.82 CLA

TO.
PP CANBERRA/4522

RP.
RR PARIS EMB/1412 ALGIERS/179

FM. UN NEW YORK / REF O.CH73634 F.UN648

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTE E : ITEM 18 - WESTERN SAHARA

FROM FILES 103/3/4 512/1

THE FOURTH COMMITTEE ON 12 NOVEMBER ADOPTED THE ALGERIAN DRAFT RESOLUTION IN A/C.4/37/L.6/REV.1 BY A VOTE OF 74 (AUSTRALIA, SWEDEN, FINLAND - 12 (MOROCCO, U.S.) - 55 (EC NEW ZEALAND, NORWAY,). VOTING RECORDS FOLLOWS BY FAX - FUN648. COMMITTEE ALSO ADOPTED BY CONSENSUS A DRAFT DECISION INTRODUCED BY KENYA (A/C4/37/L14).

2. THE MORNING SESSION OF THE COMMITTEE ZIMBABWE INTRODUCED L13 WHICH PROPOSED AMENDMENTS TO L.5/REV.1 WHICH HAD BEEN CIRCULATED ON 11 NOVEMBER. THE AMENDMENTS IN L13 WERE IDENTICAL TO THOSE CONTAINED IN L,12, BY WHICH COSPONSORS OF L12 HAD HOPED TO AMEND L.5. DURING THE COURSE OF THE DAY NEGOTIATIONS WERE HELD BETWEEN THE COSPONSORS OF L.5 REV 1 AND REPRESENTATIVES FROM AMONGST THE COSPONSORS OF THE DRAFT AMENDMENTS TO TRY TO ARRANGE A TEXT WHICH COULD BE ADOPTED BY CONSENSUS. IN THE EVENT KENYA WAS PREVAILED UPON AS THIS MONTH'S CHAIRMAN OF THE AFRICAN GROUP AND AS A REPRESENTATIVE OF THE OAU CHAIRMAN TO INTRODUCE THE TEXT IN L,14 WHICH IS SIMILAR TO THE CONSENSUS ADOPTED AT UNGA 36 AND TO THE DRAFT IN L.5/REV.1. THE FACT THAT IT WAS NOT COSPONSORED BY MOROCCO AND THE OTHER STATES LED TO ITS ACCEPTANCE BY ALL PARTIES. IN THE LIGHT OF THE DECISION TO PROCEED BY CONSENSUS ON A TEXT WHICH MET MOROCCO'S CONCERNS AND OF THE DECISION OF SWEDEN AND FINLAND TO VOTE IN FAVOUR OF RESOLUTION L6 WE DECIDED TO ACCEPT THE CONSENSUS AND TO SUPPORT THE ALGERIAN TEXT IN ACCORDANCE WITH INSTRUCTIONS IN REFTEL.

3. COPIES OF THE DECISION ADOPTED IN L.14 AND THE VOTING RECORD ON L.6/REV.1 ARE BEING SENT SEPARATELY BY FAX.

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.UN25702

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

SEC
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DEPSEC-A
FAS(NSA)
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DEPSEC-B
FAS(EANZ)
FAS(IOAME)

LA
CN
FAS(ECO)

EX

PA
FAS(DN)
FAS(LT)

NAIROBI

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

RESTRICTED
FIRST

ACTION: IO
COPY NO. 2

OUTWARD CABLEGRAM

OUT

O.CH073634 RHOW

O.CH073634 1728 12.11.82 CLA FIRST

TO.
PP UN NEW YORK/690

RP.
PP PARIS EMB/8122 ALGIERS/8808

FM. CANBERRA / REF O.UN25675

R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FILE 935/28/2

WE ARE CONCERNED TO FOLLOW A BALANCED APPROACH TO THIS ITEM. WITH THIS IN MIND AND CONSIDERING THE RESPECTIVE MERITS OF THE DRAFTS WE WOULD LIKE YOU TO:

A) SUPPORT MOROCCAN DRAFT (L.5/REV.1);
B) SUPPORT THE ALGERIAN-AMENDED DRAFT (L.5+A/C 4/37/L.12) PROVIDED YOU ARE IN COMPANY OF SOME OTHER WEOGS;
C) SUPPORT ALGERIAN TEXT (L.6) PROVIDED WE ARE IN COMPANY SIMILAR TO 1980 AND PROVIDED WE HAVE SUPPORTED THE MOROCCAN DRAFT. OTHERWISE YOU SHOULD ABSTAIN.

2. YOU SHOULD BE AWARE THAT WE HAVE SOME DIFFICULTIES WITH ALGERIAN DRAFTS REFERENCE TO MOROCCO AND POLISARIO AS "THE TWO PARTIES" TO THE DISPUTE. WE APPRECIATE, HOWEVER, THE DELETION OF THE PARA OF THE SADR.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTE E : ITEM 18 - WESTERN SAHARA

FROM FILES 103/3/4 512/1

THE FOURTH COMMITTEE ON 12 NOVEMBER ADOPTED THE ALGERIAN DRAFT RESOLUTION IN A/C.4/37/L.6/REV.1 BY A VOTE OF 74 (AUSTRALIA, SWEDEN, FINLAND - 12 (MOROCCO, U.S.) - 55 (EC, NEW ZEALAND, NORWAY,). VOTING RECORDS FOLLOWS BY FAX - FUN648. COMMITTEE ALSO ADOPTED BY CONSENSUS A DRAFT DECISION INTRODUCED BY KENYA (A/C4/37/L14).

2. THE MORNING SESSION OF THE COMMITTEE ZIMBABWE INTRODUCED L13 WHICH PROPOSED AMENDMENTS TO L.5/REV.1 WHICH HAD BEEN CIRCULATED ON 11 NOVEMBER. THE AMENDMENTS IN L13 WERE IDENTICAL TO THOSE CONTAINED IN L,12, BY WHICH COSPONSORS OF L12 HAD HOPED TO AMEND L.5. DURING THE COURSE OF THE DAY NEGOTIATIONS WERE HELD BETWEEN THE COSPONSORS OF L.5 REV 1 AND REPRESENTATIVES FROM AMONGST THE COSPONSORS OF THE DRAFT AMENDMENTS TO TRY TO ARRANGE A TEXT WHICH COULD BE ADOPTED BY CONSENSUS. IN THE EVENT KENYA WAS PREVAILED UPON AS THIS MONTH'S CHAIRMAN OF THE AFRICAN GROUP AND AS A REPRESENTATIVE OF THE OAU CHAIRMAN TO INTRODUCE THE TEXT IN L,14 WHICH IS SIMILAR TO THE CONSENSUS ADOPTED AT UNGA 36 AND TO THE DRAFT IN L.5/REV.1. THE FACT THAT IT WAS NOT COSPONSORED BY MOROCCO AND THE OTHER STATES LED TO ITS ACCEPTANCE BY ALL PARTIES. IN THE LIGHT OF THE DECISION TO PROCEED BY CONSENSUS ON A TEXT WHICH MET MOROCCO'S CONCERNS AND OF THE DECISION OF SWEDEN AND FINLAND TO VOTE IN FAVOUR OF RESOLUTION L6 WE DECIDED TO ACCEPT THE CONSENSUS AND TO SUPPORT THE ALGERIAN TEXT IN ACCORDANCE WITH INSTRUCTIONS IN REFTEL.

3. COPIES OF THE DECISION ADOPTED IN L.14 AND THE VOTING RECORD ON L.6/REV.1 ARE BEING SENT SEPARATELY BY FAX.

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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ACTION: IO
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INWARD CABLEGRAM

2-O.UN25702

ACTION: FOREIGN AFFAIRS
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IN
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TO.
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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE ITEM 18 - WESTERN SAHARA

FILE 929/34/9

WE HAVE DIFFICULTIES WITH OP. PARA. 3 OF ALGERIAN TEXT WHICH COULD BE SEEN AS ACCORD TO SADR THE STATUS OF A GOVERNMENT. THIS SEEMS TO US TO PREJUDGE THE OUTCOME OF ANY NEGOTIATIONS.

2. GRATEFUL YOUR ADVICE ON LIKELY VOTING PATTERN AND VIEWS OF COUNTRIES VOTING WITH US AT UNGA 35, ESPECIALLY AUSTRIA, FINLAND, SWEDEN. OUR PRESENT DISPOSITION WOULD BE TO ABSTAIN ON THE RESOLUTION.

ACTION: FOREIGN AFFAIRS
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PRIME MINISTER
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DEPARTMENT OF FOREIGN AFFAIRS
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TO.
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RR PARIS EMB/1410 ALGIERS/177

FM. UN NEW YORK / REF O.UN25609

C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : ITEM 18 : WESTERN SAHARA

FROM FILE 103/3/4 412/1

THE ALGERIAN DRAFT HAS BEEN AMENDED TO DELETE OPERATIVE PARAGRAPH 3. THE CHAIRMAN OF THE FOURTH COMMITTEE ALSO ANNOUNCED THAT A REVISION TO THE MOROCCAN DRAFT DECISION WILL BE ISSUED ON 11 NOVEMBER. WE HAVE NO INFORMATION ON THE NATURE OF THAT REVISION.

2. THE EC10, WITH THE EXCEPTION OF GREECE HAD DECIDED TO ABSTAIN ON THE UNAMENDED ALGERIAN TEXT AND WE UNDERSTAND THAT THEY WILL MAINTAINTHEIR ABSTENTION ON THE REVISED DRAFT. THEY HAD ALSO DECIDED TO SUPPORT THE DRAFT DECISION ON THE GROUNDS THAT SIMILAR WORDING WAS ADOPTED BY CONSENSUS AT UNGA 36 DESPITE THE REMOVAL OF OPERATIVE PARAGRAPH 3 WE CONTINUE TO BELIEVE THAT WE SHOULD ABSTAIN ON THE ALGERIAN TEXT GIVEN THE PROMINENCE IT ACCORDS TO POLISARIO. WE SHALL CABLE THE TEXT OF THE REVISED MOROCCAN DRAFT AS SOON AS IT BECOMES AVAILABLE AND WILL GIVE OUR RECOMMENDATIONS AT THAT TIME.

ACTION: FOREIGN AFFAIRS
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PRIME MINISTER
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FOREIGN MINISTER
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CONFIDENTIAL

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

UNITED
NATIONS

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P 935/28/2

General Assembly

Distr.
GENERAL

A/37/570/Rev.1*
9 November 1982

ORIGINAL: ENGLISH

Thirty-seventh session
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Question of Western Sahara

Report of the Secretary-General

1. At its thirty-sixth session, the General Assembly adopted, on 24 November 1981, resolution 36/46 and decision 36/406 concerning the question of Western Sahara. The operative paragraphs of resolution 36/46 read as follows:

"The General Assembly,

"...

"1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), as well as the relevant resolutions of the General Assembly and the Organization of African Unity;

"2. Welcomes the efforts made by the Organization of African Unity and its Implementation Committee on Western Sahara with a view to promoting a just and definitive solution to the question of Western Sahara;

"3. Takes note of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session to organize throughout the Territory of Western Sahara a general and free referendum of the people of Western Sahara on self-determination;

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* This document incorporates material previously issued in document A/37/570 and Add.1.

"4. Welcomes the steps taken by the Implementation Committee with a view to organizing and conducting the referendum;

"5. Appeals to the two parties to the conflict, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to observe a cease-fire in accordance with the decisions of the Organization of African Unity and its Implementation Committee;

"6. Urges, to that end, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to enter into negotiations with a view to establishing an immediate cease-fire and concluding a peace agreement permitting the fair conduct of a general and free referendum on self-determination in Western Sahara;

"7. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;

"8. Requests to that end the Secretary-General to take the necessary steps to ensure that the United Nations participates in the organization and conduct of the referendum, and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council;

"9. Urgently requests the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the decisions of the Assembly of Heads of State and Government of the Organization of African Unity and of its Implementation Committee, and of the present resolution;

"10. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-seventh session."

Decision 36/406 reads as follows:

"... the General Assembly, ... decided, taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it was decided, inter alia, to establish an Implementation Committee on Western Sahara, and the decision adopted by the Implementation Committee at its first ordinary session, held at Nairobi from 24 to 26 August 1981, 2/ to request the Secretary-General tc give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate regarding the question of Western Sahara arising from the above resolution and decision and to report thereon to the Assembly and the Security Council as appropriate."

2. On 17 December 1981, the Secretary-General addressed a letter to the Secretary-General of the Organization of African Unity (OAU), in which he stated, inter alia:

> "You may be assured that the United Nations remains ready to co-operate with the Organization of African Unity and to render to it the necessary assistance, in view of the application of the relevant decisions adopted by the Assembly of Heads of State and Government and of its Implementation Committee on Western Sahara."

3. In response to an invitation from the Secretary-General of OAU, a United Nations team travelled to Nairobi early in February 1982 to be available for consultation with the OAU Ministerial Consultative Committee on technical questions relating to the proposed cease-fire and referendum. Thereafter, the Committee was to report to the Implementation Committee. The team was led by Mr. A. A. Farah, Under-Secretary-General for Special Political Questions, and consisted of Brigadier-General Timothy E. Dibuane (for the cease-fire and logistical questions), Mr. Ralph Zacklin (for legal questions), Mr. Myles F. Minchin (for questions relating to the organization of a referendum), Mr. Antoine Noel (for refugee questions), Mr. Chuong Buivan (for budgetary questions) and Mr. Knud Muller (for communications).

4. The Ministerial Consultative Committee, composed of the Ministers for Foreign Affairs of Guinea, Kenya, Mali, Nigeria, Sierra Leone, Sudan and the United Republic of Tanzania, met under the chairmanship of the Minister for Foreign Affairs of Kenya on 6 and 7 February 1982.

5. The Committee had before it a report by the Secretary-General of OAU on the action taken to follow up the decision of the Implementation Committee on Western Sahara of August 1981. The report summarized the information obtained from the United Nations Secretariat and, in particular, reproduced information obtained from the Office of the United Nations High Commissioner for Refugees (UNHCR) regarding Saharawi refugees and a note concerning the establishment of a United Nations peace-keeping force prepared by the United Nations Secretariat.

6. The Committee decided that it would focus on three principal issues: the question of a cease-fire, the modalities and organizational framework of a referendum, and the question of linkage between the United Nations and OAU in regard to peace-keeping and/or the referendum. The United Nations team was invited to give assistance and advice to the General Secretariat of OAU, where appropriate, in the drafting of three working documents on these issues. It also took part in the discussions of the Committee and replied to questions raised by the members of the Committee. The United Nations delegation was invited to make a general statement to the Committee setting out United Nations principles and practices regarding referenda and peace-keeping.

7. In his statement to the Committee on 6 February 1982, the Under-Secretary-General stated, inter alia, that the team had already made available to the General Secretariat of OAU technical information relating to the United Nations experience in various situations where it had participated in the

organization of peace-keeping operations and in the supervision and observation of referenda. It had also made available the results of the census carried out by the Spanish authorities in 1974 and a map of the Territory.

8. In regard to the United Nations experience in supervising and observing referenda, the Under-Secretary-General emphasized that although each situation had been treated on its own merits, in its preliminary consultations, the United Nations had nevertheless endeavoured to identify the minimum conditions for an internationally acceptable act of self-determination, namely, that the people as a whole should exercise their right to self-determination, that they should be made fully aware of the issues involved and that the procedures should be such as to ensure that they might exercise that right freely and fairly.

9. The Under-Secretary-General stressed that, in the various instances where the United Nations had been called upon to supervise or observe a popular vote, its role had been limited to observation and monitoring. The responsibility for the organization and conduct of the vote had, in every case, been left to the existing trusteeship or colonial administration. What was envisaged for Western Sahara went considerably beyond that, as it called for the referendum to be organized and conducted by the Implementation Committee in collaboration with the United Nations. That would entail a much greater scale of involvement in the administrative and legislative procedures for the organization and conduct of the referendum. Whereas, in previous operations, a comparatively small group of observers had been sufficient for the task of observation and monitoring, which in many instances had been limited to spot checks, it was evident that the exercise which was presently envisaged would require a much larger staff. At the conclusion of his statement, the Under-Secretary-General said that the actual requirements would have to be determined on the basis of a detailed survey in the Territory.

10. Three documents were referred by the Ministerial Consultative Committee to the Implementation Committee, which adopted decisions on a cease-fire in Western Sahara and on modalities and organizational framework for the referendum in Western Sahara (see annex). No decision was taken on the question of linkage.

11. On 15 October and 2 November 1982, the Secretary-General of OAU transmitted to the Secretary-General of the United Nations the text of decisions AHG/IMP.C/WS/DEC.1 (II)/Rev.2 and AHG/IMP.C/WS/DEC.2 (II)/Rev.2 adopted by the Implementation Committee at its second session, held at Nairobi on 8 and 9 February 1982 (see annex).

12. In his letter dated 2 November, the Secretary-General of OAU stated that the decisions of the Implementation Committee would be submitted to the forthcoming Assembly of Heads of State and Government of OAU, to be held at Tripoli in late November 1982.

Notes

1/ A/36/534, annex II, resolution AHG/Res.103 (XVIII).

2/ A/36/512-S/14692, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for July, August and September 1981.

ANNEX

Decisions of the OAU Implementation Committee on Western Sahara

A. Decision AHG/IMP.C/WS/DEC.1 (II) Rev.2

Decision of the Implementation Committee on the cease-fire in Western Sahara

The OAU Implementation Committee on Western Sahara, meeting in its second session in Nairobi from 8 to 9 February 1982,

Considering it necessary and desirable to put an immediate end to the hostilities in Western Sahara,

Convinced that every effort must be made to avoid further loss of human life and of the need to create the right atmosphere to seek a just and lasting political solution to the Western Sahara problem and to facilitate and ensure the exercise of the right of self-determination by the people of Western Sahara,

Decides hereby that:

1. A comprehensive cease-fire shall come into force on a date to be fixed by the Implementation Committee on the advice of the Chairman after consultation with all the parties concerned;

2. All war-like acts and operations shall cease from the time of the cease-fire. These include tactical moves, cross-border movements and all acts of violence and intimidation. No movement of forces to reinforce a garrison or position shall be allowed. This prohibition applies to all means of warfare, arms and ammunition;

3. A peace-keeping force and/or a military observer group shall be stationed in Western Sahara, having necessary powers to supervise the implementation of the cease-fire. The force and/or military observer group shall include a civilian police component;

4. Troops of the parties to the conflict shall be free to carry out supply of provisions to their forces under the supervision of the peace-keeping force and/or military observer group;

5. One week prior to the commencement of the cease-fire, the parties to the conflict shall notify the Chairman of the Implementation Committee of the size of their forces in the Territory;

6. At cease-fire, the peace-keeping force and/or military observer group will fix the respective positions of each side's forces;

7. Troops of parties to the conflict shall be confined to bases, the number and locations of which shall be agreed upon with the Implementation Committee. These bases shall not be located in areas where their presence could constitute a psychological or any other hindrance to the conduct of a free and fair referendum in Western Sahara;

8. Withdrawal of troops from their locations at cease-fire and their confinement to agreed bases will be completed ... days after the date of the cease-fire under the supervision of the peace-keeping force and/or military observer group;

9. The exchange of prisoners of war shall be carried out at the direction of and under the supervision of the peace-keeping force commander or chief military observer;

10. The parties to the conflict are hereby called upon to extend full co-operation to the peace-keeping force and/or military observer group, and to undertake scrupulously to respect and adhere to the terms of the cease-fire;

11. The parties to the conflict are hereby called upon to confirm their acceptance of the terms of the cease-fire in writing to reach the Chairman of the Implementation Committee no less than 10 days before the commencement of the cease-fire. This period shall be used by each party to inform its troops of the cease-fire date and time of the commencement of the cease-fire;

12. The Committee invites the neighbouring States to co-operate with it for the implementation of this decison.

B. Decision AHG/IMP.C/WS/DEC.2 (II) Rev.2

Decision of the Implementation Committee on the modalities and organizational framework for the referendum in Western Sahara

(Meeting in its second session at Nairobi on 8 and 9 February 1982)

Introduction

In resolution AHG/Res.103 (XVIII) adopted by the Heads of State of OAU in August 1981, the Implementation Committee was entrusted with organizing and conducting a referendum. In turn, the Implementation Committee has decided to set up an Interim Administration for the organization of a fair and impartial referendum. In order that the Interim Administration should be able to begin implementing the decision as soon as the cease-fire is established, it will be essential for the Implementation Committee to draw up beforehand a plan setting out basic principles, the steps to be taken in the conduct of the referendum and a timetable governing the execution of each phase of the referendum process in consultation with the parties to the conflict. These basic principles shall

include the inalienable rights of the people of Western Sahara to self-determination under conditions free from intimidation and pressure; that they are made fully aware of the issues involved and that the procedures governing the referendum be such as to ensure that they may exercise this right freely and without hindrance. On this basis, the Implementation Committee hereby decided that:

1. Interim Administration

(a) The authority responsible for the organization and conduct of the referendum shall be the Interim Administration appointed by the Implementation Committee and which will be vested with the legislative and administration powers required for the conduct of the referendum;

(b) The Interim Administration will be headed by a Commissioner appointed by the Implementation Committee with the consent of the parties to the conflict;

(c) The Interim Administration must enjoy the full co-operation of the existing administrative structures and the full use of the existing facilities such as offices, communications, transport, etc.;

(d) The decision of OAU has already set out the questions which will be put to the voters as the basis of the suffrage. What remains to be done as a matter of priority is to establish clearly the machinery necessary for drawing up lists of the persons eligible to vote. In view of the possible time-consuming nature of this task, it is recommended that it begins immediately following the establishment of the Interim Administration. The time required to prepare such lists will be the main determinant in establishing a timetable for the referendum;

(e) The existing administrative structure will be the machinery through which the Interim Administration shall exercise its responsibilities in maintaining law and order;

(f) The Interim Administration may issue orders or regulations to ensure the freedom and impartiality of the referendum. Such orders may deal with matters such as campaigning, political meetings and propaganda, or the revocation of any restrictive laws in force which would impede the conduct of a free and fair referendum.

2. Appointment of the Commissioner

The Implementation Committee shall appoint a Commissioner after consultation with the parties to the conflict. The appointment should be made at least one month before the cease-fire so as to enable the administrative and personnel arrangements to be effected.

To facilitate the preparatory work of the Commissioner, it is suggested that a joint OAU/United Nations team be sent to the Territory to ascertain the administrative, logistical and other requirements.

3. Modalities for the organization of the referendum

(i) The people of Western Sahara would be required to express themselves freely and democratically on whether they want independence or integration with Morocco;

(ii) The voting shall be by secret ballot on the basis of one person one vote without discrimination on the ground of sex;

(iii) The eligibility to vote would be established in the basic agreement. These qualifications would be incorporated in an order-in-council or decree to be promulgated by the Commissioner who would be responsible for the registration of voters, the drawing-up of electoral districts or boundaries, the provision for all military personnel of Saharawi origin to vote, including those confined to base, the establishment of local administrative bodies and the preparation of voting lists, and would be empowered to make regulations in this regard. Such regulations would also establish procedures for dealing with complaints regarding inclusions or omissions and detail any offences in connection with registration and the penalties which might be imposed;

(iv) The first prerequisite for the referendum is to establish a register of eligible voters. In composing the register, account must be taken of the census figures of 1974. Once a preliminary list has been established, it must be made available for scrutiny and appropriate procedures must be provided to review the list and adjudicate any claims and challenges;

(v) The voting procedure for the referendum would be established in regulations made by the Commissioner. These regulations would provide for the actual method of voting, e.g. by placing a ballot in one or two boxes bearing symbols associated with alternatives - independence or integration with Morocco - between which the voters must choose;

(vi) The voting regulations would also cover such matters as the duties of returning officers, presiding officers at polling stations and polling assistants and the rights of polling agents of parties supporting the alternative choices;

(vii) The voting regulations should also describe in detail the procedures for tabulating the results: the delivery of ballot boxes by the presiding officers to the returning officers; the counting of votes in the presence of observers and agents;

(viii) Additionally, regulations should set out the procedures to be followed at the polling stations, the method of counting votes and penalties for offences in connection with the voting procedures;

(ix) Well in advance of the date set for voting, a campaign of public information should be undertaken to familiarize voters with the significance of the referendum, the issues involved and the procedures

for voting. While this public information campaign is the responsibility of the Interim Administration, measures shall be taken to guarantee freedom of expression, assembly, publication and movement;

(x) In connection with the voting procedures, provision must be made to prevent abuses, ensure the security of the polling stations and prevent any coercion or intimidation of voters. Measures must also be taken to ensure the security of the ballots following the vote and during the official count;

(xi) The regulations concerning the referendum must also provide appropriate procedures for the adjudication of claims and petitions relating to the vote and offences in connection with the vote;

(xii) The official results of the vote will be published in a Special Gazette prepared by the Commissioner who would testify that the referendum has been conducted fairly and impartially and that it faithfully recorded the wishes of the people;

(xiii) The Commissioner would communicate the results to the Implementation Committee which would confirm and ratify them by an appropriate decision. This decision, in turn, would be approved by the OAU Assembly of Heads of State and Government and the General Assembly of the United Nations.

DEPARTMENT OF FOREIGN AFFAIRS

CB

FACSIMILE MESSAGE

935/28/2

Precedence: PP

F. Webb 48

Date / Time of Lodgement: 2045 12/11

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For Information:

FM FILE 103/3/4;512/1 TO FILE

BB PARIS EMB ALGIERS REF. O.UN 25702

NO. OF PAGES 2

Subject Heading or Summary of Text:

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FOLLOWING ARETHE TEXTS OF A/C.4/37/L.14 AND THE VOTING RECORD ON A/C.4/37/L.6/REV | AS REFERRED TO IN REFTEL.

Sender	Signature & Date	Class/Section	Phone No	No. of copies to be

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UNITED NATIONS

GENERAL ASSEMBLY

PROVISIONAL

A/C.4/37/L.14
12 November 1982

ORIGINAL: ENGLISH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Question of Western Sahara

Kenya: draft consensus

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it decided, inter alia, to establish an Implementation Committee on Western Sahara, as well as of the decisions adopted by the Implementation Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate relating to the question of Western Sahara arising from the above resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

1/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

DEPARTMENT OF FOREIGN AFFAIRS

FACSIMILE MESSAGE

935/28/2

Precedence:

F. UN579

Date / Time of Lodgement: 3.11.82 2061

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TO CANBERRA

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REF. 0.UN25548.

NO. OF PAGES 4

Subject Heading or Summary of Text: UNGA 37: FOURTH COMMITTEE: ITEM 18- WESTERN SAHARA

FOLLOWING ARE THE TEXTS OF A/C.4/37/L.5 AND 1.6

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UNITED NATIONS

General Assembly

Distr.
LIMITED

A/C.4/37/L.5
1 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Chad, Comoros, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Morocco, Niger, Senegal, United Republic of Cameroon, Upper Volta and Zaire: draft decision

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it established an Implementation Committee to monitor the establishment of a cease-fire and the organization of a referendum in Western Sahara, and likewise taking account of the decisions to that end taken by that Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate arising from the above resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

Note

1/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

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on self-determination for the people of

and have heard the statements made on this subject, in particular those of the Polisario and of Morocco.

EUO 579/2

UNITED NATIONS

A

General Assembly

Distr.
LIMITED

A/C.4/37/L.6
1 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Algeria, Angola, Benin, Botswana, Burundi, Cape Verde, Cuba, Democratic Yemen, Grenada, Guinea-Bissau, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Mozambique, Nicaragua, Panama, Rwanda, Sao Tome and Principe, Seychelles and Uganda: draft resolution

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolutions 35/19 of 11 November 1980 and 36/46 of 24 November 1981 on the question of Western Sahara,

Having considered the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

1/ A/37/23 (part V), chap. IX.

F.UN 579/4

conduct of the referendum and to report to the General Assembly and the Security Council on this subject, and on the measures requiring a decision by the Council;

8. Urges the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of this resolution;

9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-eighth session.

E-1015

P82 UNGA 35
Para 21 "Australia, explaining its vote after the vote, said that the key to our policy towards the Western Saharan question was the right of the people to self-determination. Our inability to support the Moroccan was because of the lack of any direct reference to self-determination, territorial integrity and independence."

F.UU 579/3

Having heard the statements made on the question of Western Sahara, in particular the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro,

Recalling its resolution 36/80 of 9 December 1981 on co-operation between the United Nations and the Organization of African Unity,

Recalling all the decisions of the Organization of African Unity on the question of Western Sahara,

Recalling also the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and orderly referendum on self-determination,

Taking note of all the decisions adopted by the Implementation Committee on Western Sahara of the Organization of African Unity concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and with the relevant resolutions of the General Assembly and the Organization of African Unity;

2. Welcomes the efforts made by the Organization of African Unity with a view to promoting a just and definitive solution to the question of Western Sahara;

3. Welcomes also the responsible decision of the Democratic Saharaoui Arab Republic with regard to the convening of the nineteenth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity;

4. Remains convinced that only negotiation between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro could create the objective conditions for the return of peace in north-west Africa and would guarantee the fair conduct of a general, free and orderly referendum on self-determination in Western Sahara;

5. Appeals to the two parties to the dispute, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to start negotiations with a view to achieving a cease-fire in accordance with General Assembly resolution 36/46 and the decisions of the Organization of African Unity;

6. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;

7. Requests, to that end, the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and

Para 10.
UNGA 35 wrongly calls SADR "representative of the people of Western Sahara".

/...

Resp direct c. Vote 88.8.43.
88 (Australia, Austria, Finland, Sweden)
6 (Guatemala, Guinea, Israel, Morocco, Senegal, Zaire)
44 (EEC 9, Canada, NZ, US).
Moroccan draft vote rejected 41-40-58 (Australia, Austria, Nordics, EEC 9, NZ, Canada).

IN FACSIMILE - History Slip

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UNITED NATIONS

GENERAL ASSEMBLY

PROVISIONAL

A/C.4/37/L.5/Rev.1
11 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Chad, Comoros, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Liberia, Morocco, Niger, Senegal, United Republic of Cameroon, Upper Volta and Zaire: revised draft decision

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it decided, inter alia, to establish an Implementation Committee on Western Sahara, as well as of the decisions adopted by the Implementation Committee at its first and second ordinary sessions, held at Nairobi from 24 to 28 August 1981 and from 8 to 9 February 1982, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate relating to the question of Western Sahara arising from the above resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

1/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

935/28/2

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FACSIMILE MESSAGE

Precedence: PP

F. 111632

Date / Time of Lodgement. 2045 11/11

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ALGIERS

FM FILE: 103/3/4; 42/1

TO FILE:

REF. O.UN 23675

NO. OF PAGES 2

Subject Heading or Summary of Text:

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FOLLOWING ARE THE TEXTS OF A/C.4/37/L.12 AND L.5/REV.1 .

some other WEOGs.

the two parties.
similar company to UNGA 35
& provided we had already
supported Moroccan draft
I not or no vote about in
Alg. draft.

Sender	Signature & Class	Date/Service	Phone No.	No.

FWS 637/1

A

UNITED NATIONS

General Assembly

Distr.
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10 November 1982
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Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Algeria, Benin, Burundi, Cape Verde, Cuba, Cyprus, Democratic Yemen, Guinea-Bissau, Madagascar, Mauritania, Mozambique, Nicaragua, Rwanda, Sao Tome and Principe and Zimbabwe: draft decision A/C.4/37/L.5

1. Sixth line

Replace in Western Sahara, and by on self-determination for the people of Western Sahara,

2. Seventh line

After Committee, add and having heard the statements made on this subject, in particular those of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro and of Morocco,

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935/28/2

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UNITED NATIONS

General Assembly

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A/C.4/37/2/Add.1/Corr.1
10 November 1982
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Thirty-seventh session
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Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Request for hearing

Addendum

Letter dated 25 October 1982, from Mr. Ahmed Rachid, Secretary-General of the Mouvement des originaires du Sahara anciennement sous domination espagnole (AOSARIO), addressed to the Secretary-General and to the members of the Fourth Committee

Corrigendum

Document A/C.4/37/2/Add.1 of 9 November 1982 is hereby withdrawn.

82-30618 0434u (E)

UNITED NATIONS

935/28/V A

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9 November 1982
ENGLISH
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Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Request for hearing

Addendum

Letter dated 25 October 1982, from Mr. Ahmed Rachid, Secretary-General of the Mouvement des originaires du Sahara anciennement sous domination espagnole (AOSARIO), addressed to the Secretary-General and to the members of the Fourth Committee*

Our Movement, in its capacity as a petitioner organization, has the honour to request you to reserve it the right to speak at the appropriate time in order to bring before your Committee testimony and evidence relating to the item.

(Signed) Ahmed RACHID
Secretary-General of the Mouvement des originaires du Sahara anciennement sous domination espagnole (AOSARIO)

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* Circulated in accordance with a decision taken by the Fourth Committee at its 17th meeting, on 9 October 1982.

82-30443 0364p (E)

UNITED NATIONS

935/28/2 A

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GENERAL

A/37/602
8 November 1982
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ORIGINAL: FRENCH

Thirty-seventh session
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 4 November 1982 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a note concerning your report on Western Sahara, distributed on 26 October 1982 under agenda item 18 (A/37/570), and to request you to arrange for it to be circulated as an official document of the General Assembly under the same agenda item.

(Signed) Mehdi MRANI ZENTAR
Ambassador
Permanent Representative

ANNEX

Note from the Permanent Mission of Morocco

The report of the Secretary-General dated 26 October 1982 and circulated as document A/37/570 under agenda item 18 (Western Sahara) mentions that the Secretary-General of the Organization of African Unity (OAU) had transmitted to the United Nations Secretariat the text of decision No. AHG/IMP.C/WS/Dec.1(II)/Rev.2 adopted by the Implementation Committee at its second session, held in Nairobi on 8 and 9 February 1982.

This decision of the Implemenation Committee deals exclusively with the entry into force of a cease-fire in Western Sahara. Yet this same Implementation Committee had adopted at the same session decision No. AHG/IMP.C/WS/Dec.2(II) concerning the organization of a referendum which enumerated the basic principles and the activities to be undertaken in the conduct of this referendum.

This laconic transmission of the decisions of the OAU Implementation Committee cannot be considered as accidental or as the result of an involuntary material error.

A brief review of the conduct of the administrative and political business of OAU by its Secretary-General, particularly during the current year, will reveal conclusively that this omission is another twist in a well-established plan designed to confront the members of OAU with a series of faits accomplis contradicting both the provisions of the Charter and the unanimous decisions of the Conference of Heads of State and Government of OAU.

Moreover, this omission, which tends to mislead the United Nations itself and the Member States about the nature and content of the decisions of the Organization of African Unity and of its Implementation Committee, is part of the same conspiracy to cover up the actions of fait accompli being taken with regard to the problem of Western Sahara.

The Secretary-General of OAU had taken it upon himself to invite the so-called Sahraoui Arab Republic to participate as a member State in the work of the Council of Ministers during its budgetary session held last February in Addis Ababa.

This invitation had been extended despite the African consensus expressed at the Freetown and Nairobi Summit Conferences to the effect that any decision of that nature should be postponed until the Implemenation Committee had performed its mission and organized a referendum in Western Sahara.

This illegal invitation had as its immediate consequence the withdrawal of 19 member countries from the ministerial meeting, which prevented any discussion, since the legal quorum did not exist.

The vicissitudes of the abortive Oau summit in Tripoli, last August, confirmed that the attempt to engineer the illegal admission to that Organization of a

phantom State evoked a strong and lasting reaction from a large number of member States, thus dooming the Organization to paralysis.

These desperate attempts clearly showed that the initiators, and then the defenders of a so-called "Sahraoui Republic" as a member of OAU at all costs, had neither the desire to face a popular consultation under international supervision nor the intention of allowing the procedure envisaged by the Implementation Committee to be followed in the normal manner.

Otherwise, why sabotage the action of the Implementation Committee just after the adoption of a comprehensive plan aimed precisely at the speedy proclamation of a cease-fire and the organization of a referendum?

And the fact that the Secretaty-General of OAU is today omitting from the documents of the Implementation Committee transmitted to the United Nations precisely the most substantial piece, devoted to the referendum, must be interpreted as another act doing violence to legality and right, another wish to prevent the process of self-determination envisaged by OAU from taking place in an orderly and calm manner, another attempt to secure endorsement of the fait accompli of the pseudo SADR by concealing an important part of the African decisions - that designed precisely to ascertain the free choice of the populations.

The Permanent Mission of the Kingdom of Morocco wishes to draw attention to this unacceptable and deliberate behaviour by the secretariat of OAU, which is the sole cause of the serious difficulties currently experienced by the pan-African organization.

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UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FILE 935/28/2

GRATEFUL YOUR ASSESSMENT OF PROBABLE VOTING PATTERNS OF LIKE MINDED DELEGATIONS ON THIS QUESTION AND YOUR VIEWS ON LIKELIHOOD OF ATTEMPTS TO AMEND MOROCCAN TEXT.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER | FOREIGN MINISTER | MIN DEFENCE
DEP DEFENCE | DEP P M AND CABINET | JIO

ACTION: IO OGBAAFA

SEC DEPSEC-A DEPSEC-B PPU LA EX
MCO PA FAS(SEP) FAS(NSA) FAS(EANZ)
CN FAS(DN) DEF DPR FAS(IOAME)
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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE ITEM 18 - WESTERN SAHARA

FROM FILES 103/3/4 412/1

MOST WESTERN DELEGATIONS HAVE YET TO RECEIVE INSTRUCTIONS ON VOTING ON THE DRAFT DECISION AND THE RESOLUTION ON THE QUESTION OF WESTERN SAHARA. IT IS NOT CLEAR WHETHER THE DRAFT DECISION WILL BE PUT TO THE VOTE OR WHETHER IT WILL PROCEED ON THE BASIS OF CONSENSUS.

2. NEW ZEALAND, NORWAY, CANADA, DENMARK AND IRELAND HAVE INDICATED THAT THEY ARE LIKELY TO ABSTAIN ON THE DRAFT RESOLUTION BECAUSE OF THE PROBLEMS POSED BY THE REFERENCES TO SADR. THE UNITED STATES MAY VOTE AGAINST IF BUT THERE IS A POSSIBILITY THEY MAY ABSTAIN. SWEDEN IS LIKELY TO ABSTAIN BUT MAY POSSIBLY VOTE IN FAVOUR. IN OUR DISCUSSIONS WITH THEM THE ALGERIANS RAISED THE POSSIBILITY OF ALTERING OPERATIVE PARAGRAPH 3 TO MAKE THE REFERENCE TO SADR MORE ACCEPTABLE., THEY WERE NOT SPECIFIC ABOUT HOW THIS COULD BE ACHIEVED HOWEVER. THERE IS ALSO A SUGGESTION THAT OPERATIVE PARA ++3++ MAY BE REMOVED IN ITS ENTIRETY OR THAT A SEPARATE PARAGRAPH VOTE MAY BE CALLED ON IT.

3. AS RECOMMENDED IN O.UN25499 WE CONSIDER THAT WE SHOULD ABSTAIN ON THE ALGERIAN DRAFT IN ITS PRESENT FORM. WE SHALL CABLE ANY PROPOSED AMENDMENTS BUT WOULD RECOMMEND THAT IF A PARAGRAPH VOTE IS TAKEN ON PARA 3 THAT WE SHOULD ALSO ABSTAIN.

4. THE FATE OF THE DRAFT DECISION IS NOT YET DECIDED. THE ALGERIANS HAVE SUGGESTED THAT IF IT GOES FORWARD WITH ITS CURRENT SPONSORSHIP (RATHER THAN WITH THE IMPRIMATUR OF THE ONU WHICH THE SIMILAR TEXT ENJOUED IN 1981) THERE MAY BE A REQUEST FOR IT TO BE PUT TO THE VOTE. THE ALGERIANS ACKNOWLEDGE THIS COULD BE DETRIMENTAL TO THEIR POSITION GIVEN THAT A NUMBER OF COUNTRIES WOULD BE EXPECTED TO SUPPORT IT OR

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TO ABSTAIN. IN THE EVENT THAT THE DECISION IS PUT TO A VOTE WE CONSIDER THAT WE SHOULD SUPPORT IT ON THE MERITS OF THE TEXT AND OUR VOTE AT UNGA. NOTWITHSTANDING THE POSSIBILITY THAT A POSITIVE VOTE FOR THE DRAFT DECISION AND AN ABSTENTION ON THE DRAFT RESOLUTION COULD BE INTERPRETED US TAKING A PRO MOROCCAN POSITION ON THE WIDER ISSUES AT STAKE. WE COULD EXPLAIN OUR VOTE TO REDUCE THE APPEARANCE OF BIAS. WESTERN DELEGATIONS HAVE NOT INSTRUCTIONS YET ON THE POSITION THEY WILL TAKE IF THE MOROCCAN TEXT IS PUT TO THE VOTE. ALL WOULD SUPPORT A CONSENSUS BUT SOME MAY ABSTAIN IF IT IS PUT TO THE VOTE.

5. WE WILL KEEP YOU INFORMED.
++AMENDMENT PARA 2++

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

OGBAAFA

SEC
FAS(SEP)
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IL

DEPSEC-A
FAS(NSA)
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DEPSEC-B
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RR DAR ES SALAAM/408 LAGOS/161 ACCRA/123
RR PRETORIA/461 LUSAKA/037 WASHINGTON/6851
RR HARARE/074 PARIS EMB/1407 ATHENS/323

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C O N F I D E N T I A L

UNGA 37 : FOURTH COMMITTEE : ITEM - WESTERN SAHARA

FROM FILE 103/3/4

SUMMARY : MOROCCO BELIEVES THERE WILL BE A QUORUM IN TRIPOLI. THEY ARE CONSIDERING WHETHER TO ATTEND. IF THEY DO THEY (AND IF NOT THEIR FRIENDS) WILL SEEK AN OAU SUMMIT DECISION ON WHETHER SADR CONSTITUTE A ''SOVEREIGN INDEPENDENT'' STATE. MOROCCO IS CERTAIN SADR WILL NOT GET THE REQUISITE TWO-THIRDS MAJORITY AND IN THIS EVENT THERE WILL BE NO VALID CONSTITUTIONAL BASIS FOR SADR'S ADMISSION. (CONFIDENTIAL)

2. DURING A DISCUSSION ON 3 NOVEMBER MR SADD'EDDINE TAEB, MOROCCAN AMBASSADOR FROM NAIROBI, WHO IS A MEMBER OF THE MOROCCAN DELEGATION, OUTLINED SOME OF THE BACKGROUND TO THE SADR'S AGREEMENT NOT TO PARTICIPATE IN THE FORTHCOMING OAU MEETING IN TRIPOLI, AND PROVIDED INFORMATION ON LIKELY MOROCCAN TACTICS AT THE MEETING.

3. TAEB TOLD US THAT, FOLLOWING THEIR ROUND OF AFRICAN CAPITALS, THE OAU CONTACT COMMITTEE HAD COME TO THE CONCLUSION THAT ONLY IF THE SADR WERE NOT PRESENT AT THE FORTHCOMING MEETINGS IN TRIPOLI WOULD IT BE POSSIBLE TO GAIN A QUORUM TO HOLD THEM. AS CHAIRMAN OF THE GROUP, MYERERE HAD CALLED SADR ''PRESIDENT'' ABDUL AZIZ TO DAR ES SALAAM, INFORMED HIM OF THIS, AND ASKED THAT IN THE INTEREST OF AFRICAN UNITY SADR AGREE NOT TO BE PRESENT IN TRIPOLI. SADR WERE TOLD THAT THEIR AGREEMENT TO THIS WOULD NOT PREJUDICE THEIR MEMBERSHIP OF THE OAU. AZIA HAD TOLD NYERERE THAT ON SO FUNDAMENTAL A MATTER THERE WOULD NEED TO BE A DECISION FROM ''THE MASSES''. ON AZIZ' RETURN TO ALGERIA, HE HAD CALLED A ''CABINET'' MEETING OF THE SADR AND HAD GAINED AGREEMENT TO THE CONTACT COMMITTEE'S PROPOSAL AND SADR THUS AGREED TO ''TEMPORARILY AND VOLUNTARILY'' WITHDRAW FROM THE OAU MEETING IN TRIPOLI. TAEB DENIED THAT THE SADR'S

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AGREEMENT TO ABSENT THEMSELVES HAD INVOLVED ANY CONCESSIONS FROM MOROCCO. HE MAINTAINED THAT IT WAS THE RESULT OF THE PRESSURE ON SADR FROM THE GROUP OF 26, AND SPECIFICALLY FROM LIBYA WHICH WAS DESPERATE TO GET THE OAU FUNCTIONING AGAIN, SO THAT IT COULD ASSUME THE CHAIRMANSHIP.

4. THE ARRANGEMENT NOW WAS THAT OAU SECRETARY-GENERAL KODJO WOULD ISSUE A FORMAL INVITATION TO SADR TO ATTEND THE MEETING BUT BY PRIOR ARRANGEMENT IT WOULD NOT SHOW UP. MOROCCO WERE NOT HAPPY THAT A FORMAL INVITATION WOULD BE ISSUED AS THIS WOULD SERVE TO STRENGTHEN THE SADR'S STATUS, BUT THEY WERE NOT GOING TO DISPUTE THIS POINT.

5. MOROCCO EXPECTED A LARGE NUMBER OF COUNTRIES TO ATTEND THE TRIPOLI SUMMIT AND IN VIEW OF THE ''UNDERSTANDING'' THAT SADR WOULD NOT BE PRESENT, HAD NOT CALLED ON THEIR AFRICAN ALLIES TO BOYCOTT THE MEETING. INDEED THEY WERE CONSIDERING WHETHER THEY WOULD ATTEND. THEY COULD SEE ADVANTAGES IN DOING SO. IF THEY DID ATTEND THEY WOULD SEEK TO HAVE THE OAU SUMMIT TAKE A DECISION ON WHETHER THE SADR WAS A ''SOVEREIGN INDEPENDENT STATE'' IN TERMS OF THE OAU CHARTER, IF MOROCCO DID NOT GO THEIR FRIENDS WOULD DO THIS FOR THEM. TAEB ADDED THAT MOROCCO BELIEVED THE WESTERN SAHARA ISSUE WOULD NOT BE DEALT WITH IN THE PRIOR MEETING OF THE MINISTERIAL COUNCIL.

6. TO CARRY THE DAY, SADR'S SUPPORTERS WOULD HAVE TO ACHIEVE A TWO-THIRDS MAJORITY AND MOROCCO WAS CERTAIN THEY WOULD NOT GET THIS. IN THESE CIRCUMSTANCES THERE WOULD NO LONGER BE ANY VALID CONSTITUTIONAL BASIS FOR THE SADR'S ADMISSION TO THE OAU.

7. TAEB MAINTAINED THAT IN ANY EVENT THE GROUP OF ''26'' WAS NOW DOWN TO 24. THE NEW CHAD GOVERNMENT SUPPORTED MOROCCO. SIERRA LEONE HAD PRIVATELY RENE GED ON ITS RECOGNITION OF THE SADR AND MOROCCO WAS URGING IT TO ''GO PUBLIC''. SWAZILAND HAD TOLD MOROCCO THAT IF MOROCCO ESTABLISHED A MISSION IN SWAZILAND, IT WOULD WITHDRAW RECOGNITION FROM SADR. MOROCCO WERE STILL CONSIDERING WHETHER TO DO THIS. TAEB ALSO SAID THAT WHILE MAURITUS AND MAURITANIA HAD BEEN IN TRIPOLI IN JULY THEY HAD NOT FORMALLY NOTIFIED KODJO OF THEIR RECOGNITION OF SADR.

8. AS FOR MOROCCO'S STANCE ON DECISIONS BY THE NAIROBI OAU IMPLEMENTATION COMMITTEE (IC) TAEB MAINTAINED THAT MOROCCO HAD AGREED TO ALL OF THESE. MOROCCO KNEW IT WOULD WIN A REFERENDUM. MOROCCO WAS ALSO PREPARED TO CARRY OUT ITS OBLIGATION TO GRANT AN ACT OF SELF-DETERMINATION FOR THE PEOPLE OF THE WESTERN SAHARA EVEN THOUGH MOROCCO FELT THAT THE CONDITIONS IMPOSED ON IT HAD BEEN EVEN MORE SEVERE THAAN THOSE IMPOSED IN SOUTH AFRICA IN RELATION TO NAMIBIA.

.../3

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9. TAEB ADMITTED THERE WAS A PROBLEM OVER WITH WHOM MOROCCO WOULD SIGN THE CEASEFIRE. MOROCCO WOULD NOT SIGN A CEASEFIRE DIRECTLY WITH THE POLISARIO AS MOROCCO DID NOT RECOGNIZE THE POLISARIO HAD ANY VALID IDENTITY HOWEVER TAEB COULD SEE A SITUATION WHERE A CEASEFIRE AGREEMENT MIGHT BE SIGNED BETWEEN MOROCCO AND THOSE OF ITS NEIGHBOURS AND WHOSE NATIONALS MOROCCO WOULD PRODUCE AS POWS, AND WITH WHICH POLISARIO COULD BE ASSOCIATED IN SOME FASHION.

10. FINALLY TAEB ADDED THAT MOROCCO HAD ONLY RECENTLY DISCOVERED THAT THE OAU SECRETARIAT HAD NOT SENT TO THE UN, AS IS NORMAL PARCTICE, INFORMATION ABOUT THE DECISIONS OF THE NAIROBI IC AND THE REACTIONS OF THE PARTIES CONCERNED. AT MOROCCO'S INSISTENCE THE SECRETARIAT HAD EVENTULAYY SENT HALF OF THE INFORMATION, I.E. ONLY THAT RELATING TO THE CEASEFIRE. KODJO HAD TOLD THE MOROCCANS THE SECTION RELATING TO THE REFERENDUM, INCLUDING VOTING ARRANGEMENTS, WAS ''STILL BEING TYPED''. MOROCCO SAW THIS AS A DELIBERATE ATTEMPT BY KODJO TO UNDERMINE MOROCCO'S CASE AT THE UN.

11. TAEB ASKED THAT WE PROTECT HIS INFORMATION ABOUT POSSIBLE MOROCCAN TACTICS AT THE OAU MEETING.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER — FOREIGN MINISTER — MIN DEFENCE
DEP DEFENCE — DEP P M AND CABINET — JIO

ACTION: IO — OGBAAFA
AME — JCAA

SEC	DEPSEC-A	DEPSEC-B	PPU	LA	EX
MCO	PA	FAS(SEP)	FAS(NSA)	FAS(EANZ)	
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5 November 1982

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Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION OF THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Administrative and financial implications of the draft resolution contained in document A/C.4/37/L.6 and the draft decision contained in document A/C.4/37/L.5

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. Under the terms of paragraphs 7 and 8 of the draft resolution contained in document A/C.4/37/L.6 concerning the question of Western Sahara, the General Assembly would request the Secretary-General "to take the necessary steps to ensure that the United Nations participates effectively in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject, and on the measures requiring a decision by the Security Council", and "to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of this resolution".

2. Under the terms of the draft decision contained in document A/C.4/37/L.5 concerning the same question, the General Assembly would request the Secretary-General "to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate arising from the above resolution and decisions to report thereon to the General Assembly and the Security Council, as appropriate".

3. In paragraph 6 of its resolution AHG/Res.103 (XVIII), adopted at its eighteenth ordinary session held at Nairobi from 24 to 27 June 1981 (see A/36/534, annex II), the Assembly of Heads of State and Government of OAU requested "the United Nations, in conjunction with OAU, to provide a peace-keeping force to be stationed in Western Sahara to ensure peace and security during the organization and conduct of the referendum and subsequent elections".

4. The decision adopted by the Implementation Committee at its first session, held at Nairobi from 24 to 26 August 1981 (see A/36/602, annex I), pursuant to resolution AHG/Res.103 (XVIII), contains, inter alia, the following provision:

"(d) Financing of the implementation of the decision

"The current OAU Chairman shall consult the United Nations in order to determine the United Nations involvement in the implementation of this decision, including its financing".

5. Pending the completion of the consultations envisaged in the decision of the Implementation Committee, the Secretary-General is not in a position to make accurate estimates of the expenditures arising from the recommendations contained in the draft proposals under reference. Accordingly, the Secretary-General intends, subject to the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to incur such expenditures as may be necessary and appropriate under the provision of General Assembly resolution 36/241 of 18 December 1981 on unforeseen and extraordinary expenses for the biennium 1982-1983.

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FROM FILE 412/1 103/3/4

DRAFT RESOLUTION ON WESTERN SAHARA WAS TABLED BY ALGERIA AND 20 COSPONSORS IN DOCUMENT A/C.4/27/L.6 ON 1 NOVEMBER. THE RESOLUTION WAS A SLIGHTLY AMENDED VERSION OF THE DRAFT TEXT IN F.UN567.

2. IN ADDITION MOROCCO AND TWELVE AFRICA COSPONSORS HAVE TABLED A DRAFT DECISION ON WESTERN SAHARA (A/C.4/37/L.5) WHICH FOLLOWS CLOSELY THE DECISION ADOPTED BY CONSENSUS AT UNGA 36. THE DRAFT REQUESTS THE U.N. SECRETARY GENERAL TO ASSIST THE OAU IMPLEMENTATION COMMITTEE IN THE DISCHARGE OF ITS MANDATE AND REPORT TO THE GENERAL ASSEMBLY AND SECURITY COUNCIL. THE TABLING BY MOROCCO AND ITS SUPPORTERS OF A DRAFT DECISION AGAIN THIS YEAR REFLECTS THE CONTINUING SPLIT WITHIN OAU RANKS ON THE QUESTION OF WESTERN SAHARA. OF THE 13 COSPONSORS 12 WERE COUNTRIES WHICH DID NOT PARTICIPATE IN THE TRIPOLI SUMMIT., THE 13TH, CHAD, HAS CHANGED ITS POSITION ON THE DISPUTE FOLLOWING THE COMING TO POWER OF THE HABRE GOVERNMENT. THERE IS LITTLE PROSPECT THAT THE TEXTS WILL BE MARRIED OR THAT EITHER WILL BE WITHDRAWN AND THE BATTLE LINES ARE SET FOR A POTENTIALLY LENGTHY AND ACRIMONIOUS DEBATE IN THE FOURTH COMMITTEE. THE OBJECTIONS OF MOROCCO AND ITS SUPPORTERS TO THE ALGERIAN TEXT ARE BASED ON THE IMPLICIT RECOGNITION GIVEN TO THE POLISARIO FRONT AND ON OPERATIVE ONE WHICH, IN ITS REFERENCE TO INDEPENDENCE, PREJUDGES THE OUTCOME OF ANY REFERENDUM TO BE HELD IN THE TERRITORY.

3. BOTH THE MORROCANS AND THE ALGERIANS HAVE SOUGHT OUR SUPPORT FOR THEIR RESPECTIVE TEXTS AND THE MOROCCANS HAVE ASKED US TO OPPOSE THE ALGERIAN TEXT. WE HAVE GIVEN NON-COMMITTAL RESPONSES IN BOTH CASES. AT UNGA 36 THE DECISION UPON WHICH THE MOROCCAN DRAFT IS BASED WAS INTRODUCED BY KENYA AS OAU CHAIRMAN AND ACCORDINGLY WAS ADOPTED BY CONSENSUS. WE HAVE BEEN UNABLE TO ASCERTAIN WHETHER THE ALGERIANS WOULD BE PREPARED TO ALLOW IT TO GO AHEAD AGAIN AS A CONSENSUS TEXT. IN THE EVENT THAT A VOTE IS TAKEN WE WOULD PROPOSE TO SUPPORT THE

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MOROCCAN DRAFT.

4. THE TEXTS OF A/C4/37 L5 AND 6 ARE BEING SENT BY FAX. (FUN579).

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UNITED NATIONS

General Assembly

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A/C.4/37/L.5
1 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Chad, Comoros, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Morocco, Niger, Senegal, United Republic of Cameroon, Upper Volta and Zaire: draft decision

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it established an Implementation Committee to monitor the establishment of a cease-fire and the organization of a referendum in Western Sahara, and likewise taking account of the decisions to that end taken by that Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate arising from the above resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

Note

1/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE - ITEM 18 : WESTERN SAHARA.

FROM FILE 412/1, 103/3/4

WE ARE FAXING DRAFT RESOLUTION ON WESTERN SAHARA PASSED TO US BY THE ALGERIANS.

THE DRAFT CLOSELY PARALLELS THAT ADOPTED AT UNGA 36 ON WHICH WE ABSTAINED. THE NEW ELEMENT IN THE RESOLUTION IS AN ADDITIONAL OPERATIVE PARAGRAPH WELCOMING ''THE RESPONSIBLE DECISION OF SADR ON THE HOLDING OF THE 19TH CONFERENCE OF THE HEADS OF STATE AND GOVERNMENT OF THE OAU''.

WE HAVE NOT HAD AN OPPORTUNITY TO DISCUSS THE DRAFT WITH OTHER DELEGATIONS. WE ASSUME HOWEVER THAT YOU WOULD WISH TO MAINTAIN THE ABSTENTION WE CAST AT UNGA 36 IN THE ABSENCE OF ANY SUBSTANTIVECHANGE IN THE TEXT OVER THAT ADOPTED AT UNGA 36 OR OF ANY STEPS TOWARDS A RESOLUTION OF THE WESTERN SAHARA DISPUTE.

ACTION: FOREIGN AFFAIRS
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PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
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ACTION: IO

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DEPARTMENT OF FOREIGN AFFAIRS

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Precedence:

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FM FILE 412/1, 103/3/4 TO FILE

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NO. OF PAGES 4

Subject Heading or Summary of Text:

UNGA 37 FOURTH COMMITTEE : ITEM 18
QUESTION OF WESTERN SAHARA

FOLLOWING IS DRAFT RESOLUTION
ON QUESTION OF WESTERN SAHARA

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QUESTION OF WESTERN SAHARA : PRE-DRAFT RESOLUTION

The General Assembly,

Having considered in depth the Question of Western Sahara,

Recalling the inalienable right of all peoples to self determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolutions 35/19 of 11 November 1980 and 36/46 of 24 November 1981 on the Question of Western Sahara,

Having considered the relevant chapter of the report of the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to colonial Countries and Peoples, 1/

Having heard the statements made on the Question of Western Sahara, in particular the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro,

1/ A/36/23 (partV), chap.IX.

FUOS 67/2

Recalling its resolution 36/80 of 9 December 1981 on co-operation between the United Nations and the Organization of African Unity,

Recalling all the decisions of the Organization of African Unity on the Question of Western Sahara,

Recalling also the decision of the 18th Summit of the Heads of State and Government of OAU, held at Nairobi from 24 June to 27 1981, to organize throughout the territory of Western Sahara a general and free referendum, (on self-determination)

Taking note of the various decisions adopted by the Implementation Committee of OAU concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

1.- Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), as well as the relevant resolutions of the General Assembly and the Organization of African Unity ;

F.UN 567/3

2.- Welcomes the efforts made by the Organization of African Unity with a view to promoting a just and definitive solution to the question of Western Sahara ;

3.- Welcomes also the responsible decision of the SADR on the holding of the 19th Conference of the Heads of State and Government of OAU,

4.- Remains convinced that only negotiation between Morocco and the Polisario Front could create the objective conditions for a return to peace in the North-West of Africa and would guarantee the fair conduct of a general, free and regular referendum on self-determination in Western Sahara,

5.- Appeals, to that end, to the two parties to the conflict, Morocco and the Polisario Front to enter into negotiations with a view to establishing an immediate cease-fire in conformity with resolution 36/46 of the General Assembly, and the OAU decisions,

6.- Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum,

F.Lu 567/14

7.- Requests, to that end, the Secretary-General of the United Nations to take the necessary steps to ensure that the United Nations effectively participates in the organization and conduct of the referendum, and to report the General Assembly and the Security Council on this subject, and on the measures requiring a decision by the council ;

8.- Urgently requests the Secretary-General of the United Nations to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the decisions of the Organization of African Unity, and of the present resolution ;

9.- Requests the Special Committee on the Situation with regard to to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-eighth session.

ENDS

F.UN567

IN FACSIMILE - History Slip

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SUBJECT. CHR 38 : ITEM 9

THE RIGHT OF PEOPLES TO SELF DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

PART C - WESTERN SAHARA

Report of the Australian Delegation

The question of Western Sahara has been discussed under the agenda item on self determination since CHR 36 in 1980. The issue reflects the contest between Algeria and Morocco for international support for their respective positions regarding the future of the Western Sahara. The question has more recently been the subject of negotiations under the auspices of a Group of Experts of the Organisation of African Unity aimed at securing the conditions for a ceasefire between the forces of the Fronte Polisario, supported by Algeria and Morocco, followed by a referendum in the territory.

2. Australia has taken a unique position within the Western Group in supporting in most cases (UNGA 36 was an exception) Algerian initiatives on the question. In doing so we have had in mind the genuineness and, indeed, the "text-book" quality of the Western Saharan case as an example of the entitlement of a population to exercise the right of self determination. It has also been of occasional value to us in securing Algerian co-operation on other issues in the human rights context - for example, the readiness of Algeria at this session to co-sponsor with Australia the draft resolution on the principle of governance by consent under this item (see general report). In the past we have also been able to use the prospect of our support for draft resolutions on this subject to obtain amendments moderating the terms of Algeria's thrusts at Morocco. This has helped to mitigate the negative impact of our position on our relations with Morocco.

3. The issue was debated in the course of the general discussion of Item 9. We included a brief reference in our general statement (text attached to general report on this item).

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4. In consultation with Polisario representatives, the Algerians prepared a draft on this matter of which we were able to obtain an early copy. After welcoming the relevant decisions and resolutions of the OAU and the United Nations, the draft "Urge(d) the two parties in conflict, Morocco and the (Polisario Front) to enter into direct negotiations with a view to concluding a ceasefire" .. and allowing the organisation of a referendum. In principle we had little difficulty with the draft which, unlike the situation at UNGA 36, was not competing with an OAU proposal. However, we sought Algerian agreement to removal of the phrase referring to direct negotiations, which we considered to be rather too strong an affirmation of the status of the Polisario as legally a party principal to the dispute. In response the Algerian delegation suggested that they could consider deletion of the single word "direct" - a compromise which we believed would cover our concerns.

5. In the event, Algeria was persuaded to resist even this modification in the wake of the admission of the Sahrawi Arab Democratic Republic (i.e. Polisario) to the OAU as its 51st full member at a concurrent meeting of the OAU in Addis Ababa. Although this development led to a walk-out by Morocco and eighteen other OAU members from the meeting, and the situation remained unresolved at the time of voting, Algeria took the view that an amendment of the draft which could be construed as questioning the newly-acquired status of the SADR would be untimely. It was of interest that the draft as tabled in document L.18 was co-sponsored by a majority of the African delegations represented at the Commission.

6. The draft introduced by Uganda on behalf of the co-sponsors on 25 February. In introducing the draft the co-sponsors orally deleted a preambular paragraph referring to Sub-Commission studies on the right of self determination. L.18, as amended, was adopted at the same meeting as CHR Resolution 15/1982 by 27 (Australia) - 3 - 13. A voting sheet is attached.

...

J.D. Thwaites
for the delegation

Documents:

- Resolution 15/1982
- Australian Statement (attached to general report)

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U N C L A S S I F I E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FROM FILE 103/3/4 AND 412/1

ALGERIA AND A NUMBER OF ITS SUPPORTERS CIRCULATED AN AMENDMENT A/C3/37/L.12 TO THE DRAFT DECISION ON WESTERN SAHARA (A/C4/37/L5) ON 11 NOVEMBER. THE AMENDMENTS PROPOSED INTER ALIA THE INCLUSION OF A REFERENCE TO STATEMENTS BEFORE THE FOURTH COMMITTEE BY THE POLISARIO FRONT AND MOROCCO. AT THE CONCLUSION OF THE AFTERNOON SESSION THE COSPONSORS OF L.5 SUBMITTED A REVISION OF THEIR TEXT (L5/REVI) WHICH IS ALMOST IDENTICAL TO THE DRAFT CONSENSUS ADOPTED AT UNGA 36, THE ONLY DIFFERENCE IS IN THE ADDITION OF REFERENCES TO UNGA DECISION 36/406 AND THE MEETING OF THE IMPLEMENTATION COMMITTEE ON THE 8-9 FEBRUARY 1982 WHICH UP-DATED BUT DID NOT ALTER THE SUBSTANCE OF THE 1981 CONSENSUS.

2. WESTERN DELEGATIONS DID NOT HAVE AN OPPORTUNITY TO OBTAIN INSTRUCTIONS ON L.12 BUT THE GENERAL EXPECTATION WAS THAT THE EC 10 WITH THE POSSIBLE EXCEPTION OF GREECE WOULD ABSTAIN ON THE AMENDMENTS IN L12 AND THEN ABSTAIN ON L5 AS AMENDED ASSUMING THAT THE AMENDMENT HAD BEEN CARRIED. NOW THAT L5 REVI HAS BEEN TABLED, IF IT IS PUT TO THE VOTE IT IS LIKELY THAT MOST EC WILL SUPPORT IT. THE POSSIBILITY CANNOT BE RULED OUT HOWEVER THAT ALGERIA AND ITS FRIENDS WILL TRY TO INCORPORATE THE AMENDMENTS CONTAINED ON L.12 INTO L.5/REV.1.

3. WE HAVE BEEN ADVISED THAT SWEDEN HAS NOW RECEIVED INSTRUCTIONS TO SUPPORT THE ALGERIAN TEXT (L.6) AND THEY ARE LIKELY TO SUPPORT THE TEXT IN L.5/REV.1. FINLAND AND AUSTRAIA HAVE NOT YET RECEIVED FINAL INSTRUCTIONS ON THE ALGERIAN TEXT THOUGH EACH FORESHADOWED THE POSSIBILITY OF AN ABSTENTION. FINLAND SAID, HOWEVER, THAT THEIR POSITION MAY CHANGE IN THE LIGHT OF THE SWEDISH DECISION AND THEY MAY JOIN SWEDEN IN A POSITIVE VOTE.

4. THERE ARE 22 SPEAKERS STILL TO BE HEARD IN THE GENERAL DEBATE AND IT IS POSSIBLE THAT THE COMMITTEE MAY NOT PROCEED TO VOTE ON ANY OF THE RESOLUTIONS BEFORE IT ON 12 NOVEMBER. THE AFRICANS ARE ANXIOUS TO PRESS AHEAD TO A VOTE ON WESTERN SAHARA ON 12 NOVEMBER BECAUSE OF THE OAU SUMMIT AND ARE EXPECTED TO PRESS FOR A VOTE TOMORROW AFTERNOON.

5. AS WE ADVISED IN O.UN25609 WE RECOMMENDED SUPPORT OF L5. WE BELIEVE THAT WE SHOULD SUPPORT L5/REV.1 ON SUBSTANTIVE

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GROUNDS. IN SO DOING WE WOULD BE IN THE COMPANY OF MOST WEOGS.

6. WE SHOULD BE GRATEFUL FOR ADVICE ON OUR VOTING POSITION ON L5 AND L6. THE TEXTS OF A/C.4/37/L12 AND L.5/REV1 ARE BEING SENT BY FAX. (FUN632).

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FROM FILE 412/1 103/3/4

DRAFT RESOLUTION ON WESTERN SAHARA WAS TABLED BY ALGERIA AND 20 COSPONSORS IN DOCUMENT A/C.4/27/L.6 ON 1 NOVEMBER. THE RESOLUTION WAS A SLIGHTLY AMENDED VERSION OF THE DRAFT TEXT IN F.UN567.

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3. BOTH THE MORROCANS AND THE ALGERIANS HAVE SOUGHT OUR SUPPORT FOR THEIR RESPECTIVE TEXTS AND THE MOROCCANS HAVE ASKED US TO OPPOSE THE ALGERIAN TEXT. WE HAVE GIVEN NON-COMMITTAL RESPONSES IN BOTH CASES. AT UNGA 36 THE DECISION UPON WHICH THE MOROCCAN DRAFT IS BASED WAS INTRODUCED BY KENYA AS OAU CHAIRMAN AND ACCORDINGLY WAS ADOPTED BY CONSENSUS. WE HAVE BEEN UNABLE TO ASCERTAIN WHETHER THE ALGERIANS WOULD BE PREPARED TO ALLOW IT TO GO AHEAD AGAIN AS A CONSENSUS TEXT. IN THE EVENT THAT A VOTE IS TAKEN WE WOULD PROPOSE TO SUPPORT THE

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MOROCCAN DRAFT.

4. THE TEXTS OF A/C4/37 L5 AND 6 ARE BEING SENT BY FAX. (FUN579).

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PRIME MINISTER
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Subject Heading or Summary of Text: UNGA 37: FOURTH COMMITTEE: ITEM 18- WESTERN SAHARA

FOLLOWING ARE THE TEXTS OF A/C.4/37/L.5 AND 1.6

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UNITED NATIONS

General Assembly

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A/C.4/37/L.5
1 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Chad, Comoros, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Morocco, Niger, Senegal, United Republic of Cameroon, Upper Volta and Zaire: draft decision

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 1/ by which it established an Implementation Committee to monitor the establishment of a cease-fire and the organization of a referendum in Western Sahara, and likewise taking account of the decisions to that end taken by that Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate arising from the above resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

Note

1/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

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General Assembly

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1 November 1982
ENGLISH
ORIGINAL: FRENCH

Thirty-seventh session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF WESTERN SAHARA

Algeria, Angola, Benin, Botswana, Burundi, Cape Verde, Cuba, Democratic Yemen, Grenada, Guinea-Bissau, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Mozambique, Nicaragua, Panama, Rwanda, Sao Tome and Principe, Seychelles and Uganda: draft resolution

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolutions 35/19 of 11 November 1980 and 36/46 of 24 November 1981 on the question of Western Sahara,

Having considered the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

1/ A/37/23 (part V), chap. IX.

F.UU 579/3

Having heard the statements made on the question of Western Sahara, in particular the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro,

Recalling its resolution 36/80 of 9 December 1981 on co-operation between the United Nations and the Organization of African Unity,

Recalling all the decisions of the Organization of African Unity on the question of Western Sahara,

Recalling also the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and orderly referendum on self-determination,

Taking note of all the decisions adopted by the Implementation Committee on Western Sahara of the Organization of African Unity concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and with the relevant resolutions of the General Assembly and the Organization of African Unity;

2. Welcomes the efforts made by the Organization of African Unity with a view to promoting a just and definitive solution to the question of Western Sahara;

3. Welcomes also the responsible decision of the Democratic Saharaoui Arab Republic with regard to the convening of the nineteenth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity;

4. Remains convinced that only negotiation between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro could create the objective conditions for the return of peace in north-west Africa and would guarantee the fair conduct of a general, free and orderly referendum on self-determination in Western Sahara;

5. Appeals to the two parties to the dispute, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to start negotiations with a view to achieving a cease-fire in accordance with General Assembly resolution 36/46 and the decisions of the Organization of African Unity;

6. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;

7. Requests, to that end, the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and

Status of SADR

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conduct of the referendum and to report to the General Assembly and the Security Council on this subject, and on the measures requiring a decision by the Council;

8. Urges the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of this resolution;

9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-eighth session.

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : ITEM 18 - WESTERN SAHARA

FROM FILE 412/1 103/3/4

DRAFT RESOLUTION ON WESTERN SAHARA WAS TABLED BY ALGERIA AND 20 COSPONSORS IN DOCUMENT A/C.4/27/L.6 ON 1 NOVEMBER. THE RESOLUTION WAS A SLIGHTLY AMENDED VERSION OF THE DRAFT TEXT IN F.UN567.

2. IN ADDITION MOROCCO AND TWELVE AFRICA COSPONSORS HAVE TABLED A DRAFT DECISION ON WESTERN SAHARA (A/C.4/37/L.5) WHICH FOLLOWS CLOSELY THE DECISION ADOPTED BY CONSENSUS AT UNGA 36. THE DRAFT REQUESTS THE U.N. SECRETARY GENERAL TO ASSIST THE OAU IMPLEMENTATION COMMITTEE IN THE DISCHARGE OF ITS MANDATE AND REPORT TO THE GENERAL ASSEMBLY AND SECURITY COUNCIL. THE TABLING BY MOROCCO AND ITS SUPPORTERS OF A DRAFT DECISION AGAIN THIS YEAR REFLECTS THE CONTINUING SPLIT WITHIN OAU RANKS ON THE QUESTION OF WESTERN SAHARA. OF THE 13 COSPONSORS 12 WERE COUNTRIES WHICH DID NOT PARTICIPATE IN THE TRIPOLI SUMMIT., THE 13TH, CHAD, HAS CHANGED ITS POSITION ON THE DISPUTE FOLLOWING THE COMING TO POWER OF THE HABRE GOVERNMENT. THERE IS LITTLE PROSPECT THAT THE TEXTS WILL BE MARRIED OR THAT EITHER WILL BE WITHDRAWN AND THE BATTLE LINES ARE SET FOR A POTENTIALLY LENGTHY AND ACRIMONIOUS DEBATE IN THE FOURTH COMMITTEE. THE OBJECTIONS OF MOROCCO AND ITS SUPPORTERS TO THE ALGERIAN TEXT ARE BASED ON THE IMPLICIT RECOGNITION GIVEN TO THE POLISARIO FRONT AND ON OPERATIVE ONE WHICH, IN ITS REFERENCE TO INDEPENDENCE, PREJUDGES THE OUTCOME OF ANY REFERENDUM TO BE HELD IN THE TERRITORY.

3. BOTH THE MORROCANS AND THE ALGERIANS HAVE SOUGHT OUR SUPPORT FOR THEIR RESPECTIVE TEXTS AND THE MOROCCANS HAVE ASKED US TO OPPOSE THE ALGERIAN TEXT. WE HAVE GIVEN NON-COMMITTAL RESPONSES IN BOTH CASES. AT UNGA 36 THE DECISION UPON WHICH THE MOROCCAN DRAFT IS BASED WAS INTRODUCED BY KENYA AS OAU CHAIRMAN AND ACCORDINGLY WAS ADOPTED BY CONSENSUS. WE HAVE BEEN UNABLE TO ASCERTAIN WHETHER THE ALGERIANS WOULD BE PREPARED TO ALLOW IT TO GO AHEAD AGAIN AS A CONSENSUS TEXT. IN THE EVENT THAT A VOTE IS TAKEN WE WOULD PROPOSE TO SUPPORT THE

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MOROCCAN DRAFT.

4. THE TEXTS OF A/C4/37 L5 AND 6 ARE BEING SENT BY FAX. (FUN579).

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PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

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ACTION: IO

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UNGA 37: FOURTH COMMITTEE: ITEM 18: WESTERN SAHARA

BELOW ARE A DRAFT RESOLUTION AND A DRAFT DECISION ON THE QUESTION OF THE WESTERN SAHARA TO BE TABLED BY ALGERIA AND MOROCCO RESPECTIVELY.

ALGERIAN DRAFT RESOLUTION

THE GENERAL ASSEMBLY,

HAVING CONSIDERED IN DEPTH THE QUESTION OF WESTERN SAHARA,

RECALLING THE INALIENABLE RIGHT OF ALL PEOPLES TO SELF DETERMINATION AND INDEPENDENCE IN ACCORDANCE WITH THE PRINCIPLES SET FORTH IN THE CHARTER OF THE UNITED NATIONS AND IN GENERAL ASSEMBLY RESOLUTION 1514 (XV) OF 14 DECEMBER 1960, CONTAINING THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES,

RECALLING ITS RESOLUTIONS 35/19 OF 11 NOVEMBER 1980 AND 36/46 OF 24 NOVEMBER 1981 ON THE QUESTION OF WESTERN SAHARA,

HAVING CONSIDERED THE RELEVANT CHAPTER OF THE REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES,

HAVING HEARD THE STATEMENTS MADE ON THE QUESTION OF WESTERN SAHARA, IN PARTICULAR THE STATEMENT OF THE REPRESENTATIVE OF THE FRENTE POPULAR PARA LA LIBERACION DE SAGUIA EL-HAMRA Y DE RIO DE ORO,

RECALLING ITS RESOLUTION 36/80 OF 9 DECEMBER 1981 ON CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF AFRICAN UNITY,

RECALLING ALL THE DECISIONS OF THE ORGANIZATION OF AFRICAN UNITY ON THE QUESTION OF WESTERN SAHARA,

RECALLING ALSO THE DECISION OF THE 18TH SUMMIT OF THE HEADS OF STATE AND GOVERNMENT OF OAU, HELD AT NAIROBI FROM 24 JUNE TO 27 1981, TO ORGANIZE THROUGHOUT THE TERRITORY OF WESTERN SAHARA A

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GEN[illegible]L AND FREE REFERENDUM,

TAKING NOTE OF THE VARIOUS DECISIONS ADOPTED BY THE IMPLEMENTATION COMMITTEE OF OAU CONCERNING THE ESTABLISHMENT OF APPROPRIATE MACHINERY TO ENABLE THE PEOPLE OF WESTERN SAHARA TO EXPRESS THEMSELVES FREELY AND DEMOCRATICALLY ON THEIR FUTURE,

1. REAFFIRMS THE INALIENABLE RIGHT OF THE PEOPLE OF WESTERN SAHARA TO SELF-DETERMINATION AND INDEPENDENCE IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS, THE CHARTER OF THE ORAGNIZATION OF AFRICAN UNITY AND THE OBJECTIVES OF GENERAL ASSEMBLY RESOLUTION 1514 (XV), AS WELL AS THE RELEVANT RESOLUTIONS OF THE GENERAT ASSEMBLY AND THE ORGANIZATION OF AFRICAN UNITY.,

2. WELCOMES THE EFFORTS MADE BY THE ORGANIZATION OF AFRICAN UNITY WITH A VIEW TO PROMOTING A JUST AND DEFINITIVE SOLUTION TO THE QUESTION OF WESTERN SAHARA.,

3. WELCOMES ALSO THE RESPONSIBLE DECISION OF THE SADR ON THE HOLDING OF THE 19TH CONFERENCE OF THE HEADS OF STATE AND GOVERNMENT OF OAU,

4. REMAINS CONVINCED THAT ONLY NEGOTIATION BETWEEN MOROCCO AND THE POLISARIO FRONT COULD CREATE THE OBJECTIVE CONDITIONS FO

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RETURN TO PEACE IN THE NORTH-WEST OF AFRICA AND WOULD GUARANTEE THE FAIR CONDUCT OF A GENERAL, FREE AND REGULAR REFERENDUM ON SELF-DETERMINATION IN WESTERN SAHARA,

5. APPEALS, TO THAT END, TO THE TWO PARTIES TO THE CONFLICT, MOROCCO AND THE POLISARIO FRONT TO ENTER INTO NEGOTIATIONS WITH A VIEW TO ESTABLISHING AN IMMEDIATE CEASE-FIRE IN CONFORMITY WITH RESOLUTION 36/46 OF THE GENERAL ASSEMBLY, AND THE OAU DECISIONS,

6. REAFFIRMS THE DETERMINATION OF THE UNITED NATIONS TO COOPERATE FULLY WITH THE ORGANIZATION OF AFRICAN UNITY IN THE FAIR AND IMPARTIAL ORGANIZATION OF THE REFERENDUM,

7. REQUESTS, TO THAT END, THE SECRETARY-GENERAL OF THE UNITED NATIONS TO TAKE THE NECESSARY STEPS TO ENSURE THAT THE UNITED NATIONS EFFECTIVELY PARTICIPATES IN THE ORGANIZATION AND CONDUCT OF THE REFERENDUM, AND TO REPORT THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL ON THIS SUBJECT, AND ON THE MEASURES REQUIRING A DECISION

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BY THE COUNCIL.,

8. URGENTLY REQUESTS THE SECRETARY-GENERAL OF THE UNITED NATIONS TO COOPERATE CLOSELY WITH THE SECRETARY-GENERAL OF THE ORGANIZATION OF AFRICAN UNITY WITH A VIEW TO THE IMPLEMENTATION OF THE DECISIONS OF TTE ORGANIZATION OF AFRICAN UNITY, AND OF THE PRESENT RESOLUTION.,

9. REQUESTS THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES TO CONTINUE TO CONSIDER THE SITUATION IN WESTERN SAHARA AS A MATTER OF PRIORITY AND TO REPORT THEREON TO THE GENERAL ASSEMBLY AT ITS THIRTY-EIGHTH SESSION.

MOROCCAN DRAFT DECISION

THE GENERAL ASSEMBLY,

RECALLING ITS DECISION 36/426 OF 24 NOVEMBER 1981, TAKING INTO ACCOUNT THE RESOLUTION ADOPTED BY THE CONFERENCE OF HEADS OF STATE OF THE OAU AT ITS 18TH ORDINARY SESSION HELD IN NAIROBI FROM 24-27 JUNE 1982, BY WHICH IT WAS DECIDED TO SET UP AN IMPLEMENTATION COMMITTEE ENTRUSTED WITH THE ESTABLISHMENT OF A CEASEFIRE AND THE CONDUCT OF A REFERENDUM IN THE WESTERN SAHARA, AND TAKING ALSO INTO ACCOUNT THE DECISIONS TAKEN BY THE COMMITTEE, REQUESTS THE SECRETARY-GENERAL TO GIVE ASSISTANCE, IN CONSULTATIONS AND COOPERATION WITH OAU, TO THE IMPLEMENTATION COMMITTEE, IN THE DISCHARGE OF ITS MANDATE ARISING FROM THE ABOVE-MENTIONED RESOLUTION AND DECISIONS AND TO REPORT THEREON TO THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL AS APPROPRIATE.

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U N C L A S S I F I E D

OAU SUMMIT : SADR ABSTENTION

FROM FILE 910/3

ON 29 OCTOBER, MR MOHAMED SIDATI, A ''MINISTER'' IN THE SADR GOVERNMENT, RELEASED A STATEMENT IN ALGIERS ANNOUNCING THAT THE SADR HAS DECIDED ''VOLUNTARILY AND TEMPORARILY'' TO ABSTAIN FROM PARTICIPATING IN THE 19TH SUMMIT OF OAU HEADS OF STATE IN TRIPOLI.

2. A TRANSLATION OF THE PRESS STATEMENT AS QUOTED IN ALGERIA'S SEMI-OFFICIAL DAILY ''EL MOUDJAHID'' IS AS FOLLOWS:

''THE GOVERNMENT OF THE SADR DECLARES THAT IT WILL ABSTAIN VOLUNTARILY AND TEMPORARILY FROM THE PROCEEDINGS OF THE 19TH OAU SUMMIT. THE GOVERNMENT OF THE SADR THUS INTENDS TO SPOIL THE MOROCCAN-AMERICAN MANOEUVRES AGAINST AFRICA AND ITS CONTINENTAL ORGANISATION. AFRICAN COUNTRIES ARE CALLED UPON TO ASSUME THEIR RESPONSIBILITIES TOWARDS THE SADR, A MEMBER COUNTRY OF THE OAU ATTACKED BY AN EXPANSIONIST COUNTRY LEADING A VENTURE OF DESTABILISATION AGAINST THE WHOLE CONTINENT. AFRICA HAS TO FACE UP TO THIS EXPANSIONISM WHICH HAS SERIOUS CONSEQUENCES FOR THE FUTURE OF MOST OF ITS STATES''.

3. MR SIDATI, IN ELABORATING ON THE STATEMENT IN AN INTERVIEW WITH THE ALGERIAN PRESS SERVICE, SAID THAT THE DECISION TO ABSTAIN WAS RELATED TO CONDITIONS IN THE AFRICAN AND INTERNATIONAL CONTEXT, PARTICULARLY THE DELIBERATE ATTEMPTS BY AMERICAN IMPERIALISM TO SPLIT THE OAU WITH THE HELP OF ALLIED REGIMES. THE DECISION DEMONSTRATED THE CONCERN OF THE SAHARAN PEOPLE FOR THE REINFORCEMENT OF AFRICAN UNITY AND THE OAU ORGANISATION. HE ALSO SAID THAT THE SADR WAS A MEMBER OF THE OAU WITH FULL RIGHTS AND INTENDED TO REINFORCE ITS ''PRECIOUS GAIN'' AND WOULD FULFILL ITS OBLIGATIONS RELATING TO THE CONSOLIDATION OF THE OAU.

4. ALGERIAN COMMENT HAS FOCUSSED ON THE ROLE OF THE USA IN PROVOKING THE PRESENT CRISES. ''EL MOUDJAHID'' REITERATED THE VIEW THAT THE

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SADR HAD BEEN LEGALLY ADMITTED AS A MEMBER OF THE OAU AT ADDIS ABABA BUT THAT THIS HAD BEEN USED AS A PRETEXT BY THE USA AND MOROCCO TO COMMENCE A CAMPAIGN TO UNDERMINE AFRICAN UNITY. THE AIM OF THIS CAMPAIGN WAS TO IMPOSE UNITED STATES POLITICAL STRATEGY IN AFRICA RESULTING IN ITS DOMINATION BY AMERICAN INTERESTS.

5. ALGERIA CONSIDERS THAT THE DECISION TO TEMPORARILY ABSTAIN DEMONSTRATES THE HIGH POLITICAL AND MORAL RESPONSIBILITY OF THE SADR AND PUTS THE BALL IN THE COURT OF MOROCCO AND ''PARTICULARLY SOME OF ITS ALLIES''.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: PA
AME

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ACTION: FOREIGN AFFAIRS
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DEP HOME AFF + ENV

FOREIGN MINISTER
DEP P M AND CABINET

DEP DEFENCE
JIO

ACTION: IO OGBAAFA

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R E S T R I C T E D

UNGA 37 : FOURTH COMMITTEE : WESTERN SAHARA.

FROM FILE 412/1, 103/3/4

WE ASKED THE ALGERIAN REPRESENTATIVE ON THE FOURTH COMMITTEE (BOUGERRA) ON 27 OCTOBER FOR INFORMATION ON THE DRAFT RESOLUTION ON WESTERN SAHARA. HE SAID THAT HE WAS NOT IN A POSITION TO GIVE ANY INFORMATION ON THE SUBSTANCE OF THE TEXT BUT EXPECTED THAT IT WOULD BE MADE AVAILABLE NEXT WEEK. WE SHALL FORWARD TEXT AS SOON AS IT IS RECEIVED.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO

OGBAAFA

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DIPLOMATIC COMMUNICATIONS NETWORK
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CONFIDENTIAL US Briefing notes

A - WESTERN SAHARA:

-- U.S. CONTINUES TO SUPPORT THE OAU MEDIATION EFFORT, ACCEPTED BY MOROCCO, WHICH CALLS FOR A CEASEFIRE AND A REFERENDUM IN THE TERRITORY.

-- WE SHALL WORK CLOSELY WITH MOROCCO TO OBTAIN SUPPORT FOR A RESOLUTION THAT ENDORSES THE OAU CALL FOR A CEASEFIRE AND A REFERENDUM IN THE WESTERN SAHARA.

-- WE HOPE YOU WILL JOIN WITH US IN URGING ALL PARTIES TO REFRAIN FROM INTRODUCING A RESOLUTION IN THE FOURTH COMMITTEE THAT WOULD CONTRADICT THE OAU CALL FOR A REFERENDUM ON THE TERRITORY'S FUTURE STATUS.

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R E S T R I C T E D

MOROCCO : WESTERN SAHARA AND THE OAU

FROM FILES 226/3/7 : 222/1/5

AN ARTICLE IN LE MATIN OF 6 JULY SAID THAT THE POLISARIO HAD ATTACKED THE TOWN OF SMARA WITH TWO BRIGADES SUPPORTED BY ''SOME ARMOURED CARS'' ON 3 JULY. SMARA IS PART OF THE ''USEFUL TRIANGLE'', SO DEFINED BY THE MOROCCANS, ENCOMPASSING THE THREE TOWNS OF LA'YOUN, SMARA AND BOUKRA' AROUND WHICH THEY HAVE BUILT THE WALL. THE MOROCCANS LOST SEVEN DEAD AND 25 WOUNDED. THEY CLAIMED TO HAVE CAPTURED TWO JEEPS, TWO LAND ROVERS AND SEVERAL RECOILLESS RIFLES OF DIFFERENT CALIBRES.

2. HOWEVER, THE POLISARIO FRONT IN ALGIERS, IN ITS COMMUNIQUE ON THE BATTLE, CLAIMED THAT IT HAD ATTACKED ''AN IMPORTANT (MOROCCAN) CONCENTRATION'' AT TAZOUA (OUTSIDE THE WALL) WITH 150 DEAD AND WOUNDED MOROCCANS. THE COMMUNIQUE ALSO CLAIMED THE DESTRUCTION OF 32 MOROCCAN VEHICLES, 105 AND 155MM FIELD GUNS AND OTHER MILITARY EQUIPMENT.

3. COMMENT : WHICHEVER CLAIM IS CORRECT IT IS THE FIRST MILITARY ACTION REPORTED BY BOTH SIDES FOR OVER SIX MONTHS AND THE LARGEST BATTLE SINCE THE SUCCESSFUL POLISARIO ATTACK IN OCTOBER 1981 AGAINST GALTAT-ZEMMOUR. PRIOR TO THE ATTACK, THE PREVAILING VIEW IN THE DIPLOMATIC COMMUNITY IN RABAT WAS THAT WHILE THE POLISARIO WAS DELIBERATELY AVOIDING MILITARY CONFRONTATION PARTLY NOT TO JEOPARDISE ITS RESPECTABILITY IN THE OAU, ITS MAIN REASON WAS THAT IT DID NOT HAVE THE MILITARY WHEREWITHAL. THE RESORT OF MILITARY ACTION MAY THEREFORE REPRESENT A SHIFT IN TACTICS, WITH THE POLISARIO POSSIBLY BELIEVING THAT MILITARY EMBARRASSMENT OF MOROCCO MIGHT FURTHER ERODE THE LATTER'S POSITION IN THE OAU.

4. THE ATTACK COMES AT A TIME WHEN MOROCCO'S DIPLOMATIC ATTEMPT TO

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FORCE A CANCELLATION OF THE OAU MEETING IN TRIPOLI ON 3 AUGUST BY DENYING THAT MEETING A QUORUM OF MEMBER STATES LOOKS AS IF IT MIGHT FAIL. A NUMBER OF MEMBER STATES, SUCH AS NIGERIA, WHILE SYMPATHISING WITH THE MOROCCAN POSITION, ARE SAID TO BE MORE CON- CERNED AT THE EFFECT A BOYCOTT MIGHT HAVE ON THE OAU ITSELF: AND, THEREFORE, FOR THE GREATER CAUSE OF AFRICAN UNITY THEY WILL PROBABLY STILL ATTEND THE TRIPOLI MEETING. AT RABAT IN LATE JUNE, WE WERE TOLD THAT WHEREAS MOROCCO APPEARED TO HAVE THE NUMBERS AS LATE AS A FEW WEEKS BEFORE, THE SCALES WERE NOW FINELY BALANCED. AN INTENSIFICATION OF MILITARY ACTIVITY IN THE NEXT FEW WEEKS COULD WELL TIP THEM POLISARIO'S WAY.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

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UNITED NATIONS

General Assembly

Distr.
GENERAL

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8 June 1982

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

WESTERN SAHARA

Working paper prepared by the Secretariat

CONTENTS

		Paragraphs
I.	GENERAL	1 - 4
II.	BACKGROUND	5 - 11
III.	POLITICAL DEVELOPMENTS	12
IV.	CONSIDERATION BY THE ORGANIZATION OF AFRICAN UNITY	13 - 30
	A. Meetings of the Assembly of Heads of State and Government	13
	B. Meetings of the Implementation Committee	14 - 22
	C. Other meetings	23 - 30
V.	CONSIDERATION BY THE GENERAL ASSEMBLY	31 - 33
VI.	MILITARY SITUATION	34 - 53
	A. Armed clashes	34 - 44
	B. Military aid	45 - 53

WESTERN SAHARA

I. GENERAL

1. Western Sahara is situated on the Atlantic coast of north-west Africa opposite the Canary Islands, bounded on the north and north-east by Morocco and Algeria and on the south and east by Mauritania. It has a total area of about 266,000 square kilometres and its seaboard measures 1,062 kilometres. Its land frontiers extend for a total length of 2,045 kilometres, the frontier with Mauritania being 1,570 kilometres long and that with Morocco and Algeria 475 kilometres. The Territory consists of two regions, Saguia el Hamra and Rio de Oro, which form an integral part of the great Saharan Desert.

2. The climate of Western Sahara is very dry with enormous differences between nocturnal and diurnal temperatures. There is very little cultivation, except in some low-lying areas in the south which are watered by occasional rainfall.

3. The physical characteristics of this desert region have determined the traditional way of life of the indigenous inhabitants, who are for the most part nomadic and pastoral, moving continuously over extensive areas which transcend international frontiers. Since 1968, however, following the drought which affected the whole Saharan region, a substantial part of the population has settled in and around urban and trading centres.

4. The principal tribes in the Territory are the Erguibat, Ait Lahsen and Ulad Delim, who are to be found also in Mauritania, Morocco and Algeria.

II. BACKGROUND

5. It will be recalled that on 14 November 1975, the Governments of Spain, Morocco and Mauritania agreed upon a Declaration of Principles, also known as the Madrid Agreement, 1/ with respect to the Territory of Western Sahara. In accordance with the Declaration, Spain transferred its powers to a temporary administration, comprising the Spanish Governor-General at that time and two Deputy Governors, one nominated by Morocco and the other by Mauritania. Also in accordance with the terms of the agreement, Spain terminated its presence in the Territory on 26 February 1976. With the withdrawal of the Spanish troops, Moroccan forces moved into the northern and eastern areas of the Territory and Mauritanian forces into parts of the southern area. The forces met with armed confrontation by the forces of the Frente Popular para la Liberación de Saguia el Hamra y Río de Oro (Frente POLISARIO), which had announced that it intended to continue the guerilla war which had begun under the Spanish administration.

1/ Official Records of the Security Council, Thirtieth Year, Supplement for October, November and December 1975, document S/11880, annex III.

6. On 14 April 1976, Morocco and Mauritania signed an agreement whereby the frontier between Mauritania and Morocco was defined by the straight line linking the point of intersection of the 24th parallel north and the 13th meridian west. With the frontier thus defined, the northern part of Western Sahara was integrated into Moroccan territory and the southern part into Mauritanian territory. The Algerian Government, which had opposed the Madrid Declaration, accused the Spanish Government of repudiating its obligations with respect to the decolonization of the Territory and of handing over the Territory to Morocco and Mauritania.

7. The Frente POLISARIO declared that the Saharan people considered "the agreement concluded between Spain, Morocco and Mauritania as null and void and as an act of aggression and banditry" and reaffirmed the inalienable right of the Saharan people to self-determination and independence.

8. On 27 February 1976, representatives of the Frente POLISARIO declared the creation of the "Saharan Arab Democratic Republic". By 1 September 1981, the "Republic" had reportedly been recognized by 45 countries: Afghanistan, Algeria, Angola, Benin, Botswana, Burundi, Cape Verde, Chad, Congo, Cuba, Democratic Kampuchea, Democratic People's Republic of Korea, Democratic Yemen, Dominica, Ethiopia, Ghana, Grenada, Guinea-Bissau, Guyana, Iran, Jamaica, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Mozambique, Nicaragua, Panama, Rwanda, Saint Lucia, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands, Swaziland, Syrian Arab Republic, Togo, Uganda, United Republic of Tanzania, Vanuatu, Viet Nam, Zambia and Zimbabwe.

9. On 10 August 1979, the Mauritanian Government signed a peace agreement 2/ at Algiers with representatives of the Frente POLISARIO, by which Mauritania renounced all territorial and other claims to Western Sahara and stated that it was withdrawing definitively from the Western Sahara war.

10. On 12 August 1979, Moroccan troops which had been stationed at Dakhla (formerly Villa Cisneros) since 1976 took over the administration of the city as well as the rest of the former Mauritanian sector of Western Sahara. Morocco subsequently moved to consolidate its position in the Territory. Among other measures, the Moroccan Parliament unanimously approved special legislation establishing three seats in Parliament for representatives of what was termed Morocco's thirty-seventh province.

11. Denouncing Morocco's actions, the Governments of Algeria (see A/34/420, annex) and Mauritania 3/ called on the United Nations to assume its "responsibilities" in the area. Algeria also demanded the immediate and complete withdrawal of all Moroccan occupation troops from the entire Territory of Western Sahara (see A/34/420, annex).

2/ See A/34/427-S/13503, annex I. For the printed test, see Official Records of the Security Council, Thirty-fourth Year, Supplement for July, August and September 1979.

3/ Ibid., annex II.

III. POLITICAL DEVELOPMENTS

12. On 9 September 1981, the Permanent Representative of Madagascar to the United Nations transmitted to the Secretary-General of the United Nations a memorandum dated 25 July 1981 from the General Secretary of the Frente POLISARIO (A/36/488, annex). After reviewing the history of the situation in Western Sahara and the respective positions of the United Nations and the Organization of African Unity (OAU), the General Secretary of the Frente POLISARIO spelled out his organization's conditions for the holding of a referendum of self-determination. These conditions included, inter alia, direct negotiations between the Frente POLISARIO and Morocco to determine practical measures for a cease-fire and the withdrawal of Moroccan forces and administration; return of the Saharaoui people to their towns and villages; release of all Saharaoui detainees; and installation of a provisional international administration set up by the United Nations and OAU (for further details, see A/36/488, annex).

IV. CONSIDERATION BY THE ORGANIZATION OF AFRICAN UNITY

A. Meetings of the Assembly of Heads of State and Government

13. At its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, the Assembly of Heads of State and Government of OAU adopted resolution AHG/Res.103 (XVIII) (see A/36/534, annex II), by which it, inter alia, adopted the reports of the fifth and sixth session of the Ad Hoc Committee of Heads of State on Western Sahara and endorsed the recommendations contained therein; welcomed the solemn commitment made by King Hassan II to accept the organization of a referendum in Western Sahara; decided to set up an Implementation Committee composed of Guinea, Kenya, Mali, Nigeria, Sierra Leone, Sudan and the United Republic of Tanzania to ensure, with the co-operation of the concerned parties, the implementation of the recommendations of the Ad Hoc Committee; urged the parties to the conflict to observe an immediate cease-fire without delay; directed the Implementation Committee to meet before the end of August 1981 and, in collaboration with the parties in conflict, to work out modalities relevant to the implementation of the cease-fire and the conduct and administration of the referendum; requested the United Nations, in conjunction with OAU, to provide peace-keeping forces to be stationed in Western Sahara to ensure peace and security during the organization and conduct of the referendum and subsequent elections; and mandated the Implementation Committee, with the participation of the United Nations, to take all necessary measures to guarantee the exercise by the people of Western Sahara of self-determination through a general and free referendum.

B. Meetings of the Implementation Committee

14. In accordance with the above-mentioned resolution, the Implementation Committee charged with organizing a referendum in Western Sahara held a series of meetings in 1981 and 1982. The first meeting, held at Nairobi from 24 to 26 August 1981 under the Chairmanship of President Daniel Arap Moi of Kenya, was attended by Presidents Ahmad Sekou Toure of Guinea, Shehu Shagari of Nigeria,

Gaafar Nimeiri of Sudan, and Julius Nyerere of the United Republic of Tanzania. Sierra Leone was represented by its Minister for Foreign Affairs and Mali by its Minister of Labour and Civil Service. President Chadli Benjedid of Algeria, Lieutenant-Colonel Mohamed Khouna Ould Haidallah of Mauritania, King Hassan II of Morocco and Mr. Mohamed Abdelaziz, Secretary-General of the Frente POLISARIO, were also invited to participate in the discussion.

15. The Implementation Committee adopted decision No. AHG/IMP.C/WS/Dec.1 (I) on Western Sahara 4/ by which it decided, inter alia, to organize and conduct a general and free referendum in Western Sahara and to establish and maintain a cease-fire along the following lines: the referendum would be one of self-determination enabling the people of Western Sahara to express themselves freely and democratically on the future of their Territory; the referendum would be held in Western Sahara; and all Saharaouis listed in the 1974 Spanish census would be eligible to vote. Reference would be made to the records of the Office of the United Nations High Commissioner for Refugees (UNHCR) to determine the population of Saharaoui refugees in neighbouring countries; voting would be by secret ballot on the basis of one person, one vote; and the Saharaouis would be given a choice of: (a) independence; or (b) integration with Morocco.

16. The Implementation Committee stated that the referendum would be organized and conducted by the Committee in collaboration with the United Nations; an impartial Interim Administration supported by civilian, military and police components would be set up; and the Interim Administration would work in collaboration with existing administrative structures in the area and would be assisted by an adequate number of OAU and/or United Nations peace-keeping forces.

17. The Implementation Committee urged the parties in conflict to agree to a cease-fire through negotiations held under the auspices of the Committee. All parties concerned would undertake to respect and maintain the cease-fire after its proclamation. For the fair conduct of the referendum, troops of the parties to the conflict would be effectively confined to their bases. Peace-keeping forces would be stationed in the area so as to guarantee the cease-fire.

18. The Chairman of OAU was called upon to consult the United Nations in order to determine that Organization's involvement in the implementation of the decision, including its financing.

19. The Implementation Committee also called on all parties, including neighbouring countries, to respect the results of the referendum; neighbouring countries would also undertake to abstain from interfering in the internal affairs of other countries; the Implementation Committee would announce the results of the referendum.

4/ See A/36/512-S/14692, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for July, August and September 1982.

20. The second meeting of the Implementation Committee took place at Nairobi on 8 and 9 February 1982, immediately following a meeting of foreign ministers of the Implementation Committee which was held on 6 and 7 February.

21. At the conclusion of its meetings, the Implementaton Committee issued a two-part decision on the question of Western Sahara. In the first part of its decision (AHG/IMP.C/WS/Dec.1 (II) Rev.2), the Committee decided, inter alia, that a comprehensive cease-fire would come into force on a date to be fixed by the Committee. At that time, all warlike acts and operations would cease and a peace-keeping force and/or a military observer group would be stationed in Western Sahara. The force/group would include a civilian police component. One week prior to the commencement of the cease-fire, the parties to the conflict would notify the Chairman of the Committee of the size of their forces in the Territory. The troops would subsequently be confined to bases which would be removed from areas where their presence could constitute a psychological or other hindrance to the conduct of the referendum in the Territory. Exchange or prisoners of war would be carried out at the direction and under the supervision of either the commander-in-chief of peace-keeping operations or the chief military observer. The Committee called on the parties to the conflict to extend full co-operation to the peace-keeping force and/or observer group and to respect and adhere scrupulously to the terms of the cease-fire.

22. In the second part of its decision (AHG/IMP.C/WS/Dec.2 (II) Rev.1), the Implementation Committee set down the modalities and organizational framework for the referendum in Western Sahara. These included, inter alia, the setting up of an interim administration which would be responsible for the organization and conduct of the referendum and would be vested with the legislative and administrative powers required to carry out its mandate. It would be headed by a commissioner appointed by the Committee, with the consent of the two parties to the conflict. The interim administration would issue regulations to ensure the freedom and impartiality of the referndum, including voting procedures and regulations, campaign of public information and announcement of results. The Committee also decided that in order to facilitate the preparatory work of the commissioner, a joint OAU/United Nations team would be sent to the Territory to ascertain the administrative, logistical and other requirements.

C. Other meetings

23. At the thirty-eighth ordinary session of the Council of Ministers held at Addis Ababa from 22 to 28 February 1982, the "Saharan Arab Democratic Republic" was admitted, on 23 February, as a member to the session by Mr. Edem Kodjo, the Secretary-General of OAU, on the grounds that it had been recognized by a majority of OAU member States - namely 26 - which in his view as well as that of several other members of OAU, automatically entitled the "Republic" to membership in the organization.

24. A spokesman for the Frente POLISARIO was said to have hailed the admission as a demonstration of "Africa's maturity, wisdom and ability to solve its own problems".

25. Morocco, along with 18 other member States (Cameroon, Central African Republic, Comoros, Djibouti, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Liberia, Mauritius, Niger, Senegal, Somalia, Sudan, Tunisia, Upper Volta and Zaire), opposed the "Republic's" membership and boycotted the meeting. These States maintained the position that the "Republic" was not an independent, sovereign African State as stipulated by the Charter of OAU and was therefore not qualified to join the organization.

26. In a letter dated 23 February 1982 addressed to President Daniel Arap Moi of Kenya, the current Chairman of OAU (see A/37/99, annex I), King Hassan II stated that the decision to allow the "Saharan Arab Democratic Republic" to participate in the work of OAU "as a constituent member ... constitutes an act of double murder on the part of the Administrative Secretariat of OAU", because it targetted Mr. Arap Moi as the first victim, in an attempt to expose his person and prestige "to the ridicule of a fait accompli". Secondly, those who had taken that stand had sought to "deal a fatal blow to the credibility" of OAU. Morocco, for its part, solemnly reiterated its adherence to the resolutions adopted at the three Nairobi summit meetings. King Hassan stated that "nothing could make Morocoo reconsider its commitments with regard to the cease-fire and the referendum in the Sahara". This commitment was reiterated in a letter of the same date from King Hassan II addressed to Mr. Edem Kodjo, the Secretary-General of OAU, (see A/37/99, annex II). King Hassan called on Mr. Kodjo to "take all appropriate ... steps to restore the legality of OAU" and revoke a decision which was "in flagrant violation of all formal and substantive rules governing OAU".

27. Subsequently, in a letter dated 3 March 1982 (see A/37/107), the Permanent Representative of Morocco informed the Secretary-General of the United Nations that given the circumstances of the OAU meeting, "all decisions ... which ... no longer ... had the quorum required by the Charter" were null and void and had been deemed as such by 19 States which had lodged "a strong protest against this illegal procedure".

28. The admission of the "Saharan Arab Democratic Republic" continued to be of some controversy at other OAU meetings.

29. At a meeting of ministers of information of member States of OAU held at Dakar on 16 March, 13 countries (Algeria, Angola, Benin, Burundi, Cape Verde, Ethiopia, Ghana, Guinea-Bissau, Mali, Mauritania, Mozambique, Uganda and Zimbabwe) were said to have walked out when Senegal refused to allow the "Saharan Arab Democratic Republic" delegates to attend. The meeting was adjourned.

30. Subsequently, at a meeting of ministers of labour of member States of OAU, held at Salisbury on 5 April 1982, nine countries (Central African Republic, Ivory Coast, Liberia, Mauritius, Morocco, Senegal, Somalia, Tunisia and Zaire) were said to have boycotted the meeting to protest the presence of representatives of the "Saharan Arab Democratic Republic". The nine countries stated that their withdrawal invalidated the conference by reducing attendance below 34, two thirds of the OAU membership. They reportedly appealed to President Arap Moi to suspend the conference on legal grounds until the membership issue had been resolved. The Chairman of the conference, Mr. Kumbirai Kangai, Zimbabwe's Minister of Labour,

stated to reporters that 40 delegations were registered for the conference and that there were, theoretically, sufficient member States present for a quorum.

V. CONSIDERATION BY THE GENERAL ASSEMBLY

31. In its consideration of the item in October 1981, the Fourth Committee of the General Assembly had before it two draft resolutions (A/C.4/36/L.2 and A/C.4/36/L.3/Rev.1) and a draft decision (A/C.4/36/L.19). Morocco, which along with Senegal and Zaire had sponsored draft resolution A/C.4/36/L.2, subsequently withdrew its draft. At its 21st meeting, on 9 November 1981, the Fourth Committee approved draft resolution A/C.4/36/L.3/Rev.1, which had been sponsored by 45 countries including Algeria, by a vote of 73 to 7, with 54 abstentions. The Committee also approved by consensus draft decision A/C.4/36/L.19, which had been sponsored by Kenya.

32. On 24 November 1981, the General Assembly adopted resolution 36/46 on the question of Western Sahara. By this resolution the Assembly, inter alia, reaffirmed the inalienable right of the people of Western Sahara to self-determination and independence; welcomed the efforts made by OAU and its Implementation Committee with a view to promoting a just and definitive solution to the question; took note of the decision of the OAU Assembly of Heads of State and Government to organize a general and free referendum throughout the Territory of Western Sahara; welcomed the steps taken by the Implementation Committee with a view to organizing and conducting the referendum; appealed to the two parties to the conflict, Morocco and the Frente POLISARIO, to observe a cease-fire in accordance with the decisions of OAU and its Implementation Committee; urged Morocco and the Frente POLISARIO to enter into negotiations with a view to establishing an immediate cease-fire and concluding an agreement permitting the fair conduct of a general, free and regular referendum on self-determination; reaffirmed the determination of the United Nations to co-operate fully with OAU in the fair and impartial organization of the referendum; requested the Secretary-General to take necessary steps to ensure that the United Nations participated in the organization and conduct of the referendum, and to report on that subject and on the measures requiring a decision of the Security Council, to the General Assembly and the Security Council; requested the Secretary-General to co-operate closely with the Secretary-General of OAU with a view to the implementation of the OAU decisions; and requested the Special Committee to continue to consider the situation in Western Sahara as a matter of priority and to report to the General Assembly at the thirty-seventh session.

33. At the same meeting, the General Assembly adopted by consensus decision 36/406 on the question of Western Sahara. By that decision the General Assembly, inter alia, taking account of the resolution adopted by the OAU Assembly of Heads of State and Government in June 1981 and the decision adopted by its Implementation Committee in August 1981, requested the Secretary-General to give assistance, in consultation and co-operation with OAU, to the Implementation Committee in the discharge of its mandate regarding the question of Western Sahara arising from the OAU resolution and decision and to report thereon to the General Assembly and the Security Council as appropriate.

VI. MILITARY SITUATION

A. Armed clashes

34. In a letter dated 13 October 1981, 5/ King Hassan II of Morocco informed the President of the Security Council that on that same day Moroccan territory had been violated and Moroccan troops attacked at Guelta Zemmur by "heavily armed bands" possessing the "most sophisticated weapons". These attackers, he said, could only have come from "neighbouring countries". King Hassan stated that this "blatant disregard" for relevant resolutions of OAU and its Implementation Committee had restored to Morocco "complete freedom of action" and "seriously jeopardizes the peace efforts initiated at Morocco's suggestion". King Hassan recalled that Mauritania and Morocco had concluded an agreement at Taif, Saudi Arabia, under which Mauritania undertook to "prohibit any attack on Sahara from its Territory". He recalled that President Chadli Benjedid of Algeria, at both the OAU summit and the Implementation Committee meeting, had declared his country's willingness to refrain from any action that might jeopardize the peace process. King Hassan stated that for the first time since the beginning of the conflict the presence of several dozen tracked armoured vehicles had been detected by the Moroccan Army at Guelta Zemmur. A Hercules C-130 aircraft flying at an altitude of 18,000 feet and a Mirage F-1 6/ flying at an altitude of 30,000 feet had been shot down by missiles. Moroccan airmen, the King continued, had sighted the launching ramps and had concluded that the attacks could only have been carried out with "SAM-6 or possibly ... SAM-8 missiles". The King said that he was drawing attention to that fact since "no State in the region, and even less so POLISARIO, has African technical personnel ... capable of using such weapons with accuracy". King Hassan concluded that while Morocco was not prepared to stand by passively, his Government remained convinced that the President of the Security Council would be able to take or cause to be taken such actions as necessary to ensure that relevant OAU resolutions and commitments undertaken by the countries concerned would be respected.

35. King Hassan II is said to have sent similar messages to United States President Ronald Reagan, Saudi Arabia's King Khalid, France's President Mitterand, the United Nations Secretary-General, the Chairman of OAU, the permanent members of the Security Council and seven African heads of State.

36. The Moroccan Parliament, which had been summoned into emergency session to hear King Hassan's message regarding the attack, was reported to have adopted a motion which "imputed the responsibility to the Algerian and Libyan Governments, which undertake acts to envenom the war in Western Sahara".

5/ See S/14723, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for October, November and December 1981.

6/ Subsequent reports indicated that two Mirage F-1s had been shot down.

37. Following an emergency meeting of Mauritania's Military Committee of National Recovery on 13 October 1981, a communiqué was issued in which Mauritania categorically rejected Morocco's accusations. The communiqué stated that "at no time was Mauritanian territory used against anyone by POLISARIO".

38. Subsequently, in a message to Lieutenant-Colonel Mohamed Khouna Ould Haidallah, the President of Mauritania, dated 19 October 1981, 7/ King Hassan II of Morocco stated that an analysis of the attack on Guelta Zemmur had revealed that the attackers could only have reached the town by "advancing directly from Mauritanian territory". Moroccan troops, which had been ordered to carry out "sweeps" in Guelta Zemmur and the surrounding region had pursued the remains of the "enemy column" which they had observed retreating across the Mauritanian frontier in order to take refuge at Aydyate, situated 10 kilometres inside Mauritanian territory. The King said that in order to "avoid the irreparable", the Moroccan army had been ordered not to pursue enemy troops beyond Moroccan territory but "not to remain passive if they should be attacked again". Morocco, he concluded, desired and awaited all necessary clarifications from Mauritania in the hope that Mauritania would take appropriate steps to put an end to a situation which was "highly prejudicial to the region as a whole."

39. In a message to King Hassan II on 20 October, President Haidallah reportedly denied that Aydyate was a Frente POLISARIO base and said that the purpose of Morocco's accusations was to "justify an attack against Mauritania". President Haidallah said that Morocco would bear the entire responsibility of an attack against Mauritania whose army and people would defend the integrity of the Territory.

40. In a subsequent message to President Haidallah, King Hassan is reported to have reaffirmed that Aydyate was used as a Frente POLISARIO sanctuary and provided detailed itineraries of Frente POLISARIO movements.

41. On 21 October 1981, President Haidallah addressed a letter to the Secretary-General 8/ informing him that King Hassan was endeavouring at all costs to implicate Mauritania in the attacks on Western Sahara. President Haidallah assured the Secretary-General that the attacks had not originated in Mauritania and that no foreign troops had retreated there after fighting in Guelta Zemmur. He requested the Secretary-General to use his influence with King Hassan in order to "dissuade him from carrying out rash and unjustified acts" against Mauritania and its people who would be obliged to "ensure by all means" the legitimate defence of its sovereignty and territorial integrity. President Haidallah concluded by stating that King Hassan along would "bear full and complete responsibility" for any attack.

7/ See S/14733, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for October, November and December 1981.

8/ A/36/616-S/14735, annex. For the printed text, see Official Records of the Security Council, Thirty-sixth Year, Supplement for October, November and December 1981.

42. The Frente POLISARIO for its part is said to have confirmed the clash at Guelta Zemmur and the shooting down of two Moroccan aircraft but would give no other details other than to say that Frente POLISARIO forces had inflicted very heavy casualties.

43. There was no official Moroccan indication of casualties at Guelta Zemmur, which is situated 40 kilometres from the Mauritanian frontier and 250 kilometres west of Tindouf in Algeria. However, on 21 October General Ahmad Dlimi, Commander of the Moroccan Armed Forces in Western Sahara, is reported to have said that the Frente POLISARIO had put 3,000 men into Guelta Zemmur which they had held for a few hours before being driven out by the Moroccan army. General Dlimi also reportedly announced that on 19 October, the Moroccan Air Force had bombed Frente POLISARIO forces 15 kilometres inside Mauritania north-east of the town of Bir Moghrein.

44. Reports on 26 October indicated that the fighting at Guelta Zemmur was continuing. Frente POLISARIO forces claimed to have shot down an F-5 fighter and a PUMA helicopter on 24 October between Bu Craa and Guelta Zemmur. Subsequently, however, on 29 November it was reported that the Moroccan army had demolished and abandoned Guelta Zemmur and Bir Enzaran. Other reports indicated that the two garrison posts had been in the hands of Frente POLISARIO forces since 9 November.

B. Military aid

45. The United States Government is reportedly to have expressed concern regarding events in Western Sahara. In testimony before the House of Representatives Foreign Affairs Committee on 12 November 1981, Mr. Alexander Haig, Secretary of State, was said to have stated that advanced Soviet weapons, including tanks and radar-guided SAM-6 anti-aircraft missiles were being used against Moroccan forces.

46. In the last quarter of 1981, several high-level United States delegations visited Morocco including General Vernon Walters, President Reagan's special envoy, Admiral Bobby Inman, Deputy Director of the Central Intelligence Agency (CIA), Mr. Caspar Weinberger, Secretary of Defense, and Mr. Francis West, Assistant Secretary of Defense for International Security Affairs.

47. During Mr. West's visits, Morocco reportedly requested military aid to counter the introduction of the SAM-6 missiles, particularly electronic countermeasures to defend aircraft against missile attacks. Although the United States Government was said to have decided in principle to provide Morocco with sophisticated weapons, no decision has been made about what weapons would be supplied and in what quantity.

48. Mr. West was reported to have underlined the "urgency of prompt action by the OAU Implementation Committee to bring about a cease-fire". He said that the United States continued to support OAU efforts toward a peaceful settlement.

49. On 10 November 1981, OAU issued a communiqué stating that it could only "view with greatest concern attempts by any State to intervene in the Western Sahara conflict". The communiqué added that the reported visit by Mr. West was the prelude to the introduction of sophisticated military hardware into the area and caused the deepest concern. OAU urgently appealed to all States, particularly

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File No. 935/28/2

DEPARTMENT OF FOREIGN AFFAIRS

Record of Conversation with Mr Sadik Bachir Malainin, Polisario Representative

on 10 May 1982

Officers Present Mr C.R. Ashwin, FAS(IOAME)
Mr G.K. Miller, Head MENA Section
Mr M. Pollard, MENA Section

MAIN SUBJECTS (S):

Mr Malainin had telephoned Mr Ashwin on his arrival in Canberra and had been invited to make an informal call at the Department.

2. Mr Malainin said that he was in Australia for only a day or so in the process of a visit to Asian capitals to further explain the Polisario case following the admission of the SADR (Saharan Arab Democratic Republic) to the OAU in February He had applied for his visa in Singapore and had gone from there to Malaysia and hoped to visit Tokyo before returning to Tehran by about 14 May. Mr Malainin said that he was now based in Tehran as SADR Ambassador there. Mr Ashwin welcomed Mr Malainin again, noting that Australia's position on the Western Sahara had not changed; we did not recognise the SADR and regarded Polisario as a representative, although not necessarily the representative of the people of the Western Sahara. He noted that the Algerian Foreign Minister had recently died in a plane crash in Iran. Mr Malainin said that Mr Benyahia had been a most respected diplomatic figure and he understood had been engaged in furthering the peace process between Iran and Iraq. He said that he knew and had regard for the new Foreign Minister, Mr Ibrahimi.

3. Mr Ashwin asked about Polisario representation throughout the world. Mr Malainin said that the SADR hoped to open an Embassy in Hanoi; this plus the Tehran Embassy would be their only two missions in Asia. They had a mission in Panama with an Ambassador accredited to Mexico (and the Mexican Ambassador to Algiers had presented credentials to the SADR last year) and were also

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represented in Cuba. They also had some representation in Africa. Mr Ashwin asked about the attitude of Pakistan and Mr Malainin noted that Pakistan had always voted for self-determination for the Western Sahara and was presently studying the question of the status of the SADR. There was at present however, no recognition of the SADR. India he thought was somewhat more advanced in consideration of relations with the SADR but both countries had official relations with the Polisario Front.

4. Mr Ashwin asked how Mr Malainin saw developments in the Western Sahara recently. Mr Malainin thought that the situation on the ground was much more dangerous than previously. There had been a number of battles in the last year - he pointed out their sites on the map including one at Guelta Zammur which the Polisario had clearly won. He was worried about the strengthening of Morocco's military presence within the Moroccan fenced-off security area in the north-west of the country. He was also worried about the new United States approach which was to supply new weaponry to Morocco, specifically, he said to assist the Moroccans in their war against the Polisario. The SADR Government had always rejected outside powers' involvement in the conflict and regretted the alleged United States involvement.

5. Mr Malainin said the SADR sought a political solution. (He referred to himself mostly as representing the SADR rather than the Polisario.) He rehearsed the developments which had led to the inconclusive decision of the OAU Implementation Committee in February on procedures for a ceasefire and a referendum and the subsequent decision of the SADR to accept the invitation of the OAU Secretary-General to assume full OAU membership. He made clear he did not expect the SADR to give up this membership.

6. Mr Ashwin said he saw a logical inconsistency in what had been done. What was being called for was firstly a ceasefire and secondly a referendum to determine what it was the people of the Western Sahara region wished to do. However, the OAU in admitting the SADR had clearly pre-empted the referendum possibility by recognition of the SADR as the representative State of the Western Sahara region. Mr Malainin said that he agreed that to some extent the admission pre-empted the referendum but that this was purely a political move, and he cited several other conferences and meetings to which the SADR had been invited as a State and mentioned that as a result of the SADR being invited some countries had withdrawn. The SADR was always ready to negotiate as was the Polisario but it should be noted that the military situation was deteriorating. Mr Ashwin said that this still did not seem to overcome the problem of the logical inconsistency he had mentioned. Mr Miller asked if there was any action by the Libyan and Moroccans towards seeking a solution. In particular he queried possible Libyan intervention in order to ensure the success of the next OAU meeting which is scheduled to be held in Tripoli under the chairmanship of Colonel Qadaffi. Mr Malainin said that he did not see that the

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Libyans would undertake such a role. Non-attendance at the Tripoli meeting would be the result of individual member States' reactions to Libya, not their reactions to the inclusion of the SADR. Most African leaders were very much aware of the problems raised by some States recognising the SADR.

7. Mr Malainin went on to say that the decision of the SADR to apply for membership of the OAU had only been a quite recent development. Some months prior to September 1980 the OAU had advised the SADR that it could have full membership of the OAU at any time. Following the procrastination in implementation of the summit resolutions the SADR finally decided that it would attend the Council of Ministers of the OAU as a full member, and this of course led to a split in the OAU. Mr Ashwin commented that the Secretary-General's action in inviting the SADR to take up full OAU membership had in effect made him persona non grata with the member States of the OAU which objected with the SADR admission.

8. Mr Ashwin then raised the question of whether Morocco was being sufficiently damaged or hurt by the war to agree to a referendum. Mr Malainin replied that the war was costing Morocco approximately $2 million per day and that there were many casualties. An offsetting factor to this however, was the United States involvement which he characterised as being very dangerous. In particular, United States involvement inhibited the capacity of the region to keep its problems local and internal. Mr Ashwin asked what sort of United States weapons were being sent to Morocco. Mr Malainin said that the SADR had no objection to America arming Morocco. Morocco was a sovereign country and could make whatever arms purchases it wished for its own defence. However, the SADR believed that America should not sell weapons to Morocco which would be used in the Western Sahara war. The Foreign Relations Committee in the United States made a statement indicating its opposition to Polisario. It was clear that the United States intended to internationalise what was an internal problem of the Western Sahara region. However, in this situation the SADR would expand its international representation and extend its membership requests. Now that it had been recognised by the OAU, the way was open for membership requests to other bodies, e.g. the Non-Aligned Movement of the UN. Mr Ashwin asked how many countries in the Non-Aligned Movement support the SADR. Mr Malainin said he believed the number was approximately 50.

9. Mr Miller said that it seemed obvious that the problem must have a political solution but it was not possible to see a long-term solution from OAU deliberations when one-third of the OAU members were boycotting proceedings. Mr Malainin agreed but said that this situation would however necessitate a purely military solution to the problem. Mr Miller commented that within Morocco there appeared to be popular support for hard-line action against Polisario. There was a feeling that Morocco should not give in to the SADR and it was obvious that the warfare had stirred

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patriotic sentiments. Mr Malainin said that this was not really the voice of the people but rather the pronouncement of the King. Mr Miller said that as Morocco continued to oppose the admission of the SADR to the OAU the situation appeared to have returned to that of 1981 where the OAU carried out merely an intermediary function.

10. Mr Ashwin asked what Mr Malainin saw for the future, assuming that the Tripoli meeting took place. Mr Malainin replied that the SADR would attend the summit and would in particular be concerned with the report of the Implementation Committee. For the future the SADR would attend all OAU meetings. Mr Ashwin said that once again he saw a logical inconsistency. If the OAU accepted the SADR as representing the State of Western Sahara, then the OAU should condemn Morocco as an aggressor. Mr Malainin said that the OAU should condemn Morocco's action but should not condemn Morocco itself. However, any changes which might take place would not affect the position of the SADR in the OAU. The SADR now had full membership and under no circumstance would it relinquish that membership. He further commented that he believed that all OAU members were entitled automatically to observer status at the UN and that the SADR would probably seek UN membership.

11. Mr Malainin then asked if he could have some summary of Australia's attitude to the Western Sahara situation. Mr Ashwin said that Australia believed self-determination was the only basis for settlement of the dispute. Australia accepted the Polisario as a major actor in the dispute but, as Mr Malainin was aware, did not recognise the SADR. Mr Malainin then asked about Australia's voting position in the UN, noting that Australia had abstained from a vote on this issue for the first time at the last Assembly. Mr Ashwin said this was due to Australia disagreeing with some of the wording in the resolution. The Algerians had not accepted a number of small amendments which Australia had suggested. However, at the Commission on Human Rights meeting in Geneva during April, Australia voted in favour of a resolution reiterating the need for self-determination.

12. Mr Malainin said he wondered about the position of the SADR in the future as far as Australia was concerned. Mr Ashwin said that Australia was not likely to change its position. Its view was that resolution of the conflict was still based upon self-determination. Australia did not accept the SADR as the Government of the Western Sahara but regarded the Polisario as a representative of the Western Sahara people. Australia however did not believe that the problem should be a major international issue, but rather should be one in which there was an African solution to what was essentially an African problem. He noted that although the Secretary-General of the OAU had acted in accordance with the OAU Constitution in admitting the SADR to membership, this was a highly controversial issue which possibly had damaged the OAU. Mr Malainin

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said that he saw the Secretary-General's action as simply fulfilling the responsibilities of the OAU. Mr Ashwin agreed that the Secretary-General had the power to admit the SADR but that it was not possible to ingore the "gentleman's agreement" which had existed till last February, namely that the SADR should not be admitted as an OAU member until the problems of the Western Sahara had been solved. Mr Malainin said that this had in fact been the SADR position, i.e. that the SADR should not be a member but should instead work through the Implementation Committee. The SADR had however, been juridically an OAU member from July 1980. The decision to accept formal full membership of the OAU was finally made only because Morocco did not negotiate.

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INWARD CABLEGRAM

O.NA15856 MTOO
TOR 20.48 29.04.82

O.NA15856 1030 29.4.82 CLA

TO.
PP CANBERRA/4404

RP.
PP UN NEW YORK/699
RR ALGIERS/064 PARIS EMB/285 CAIRO/389
RR ACCRA/446 LAGOS/812 DAR ES SALAAM/1041
RR SALISBURY/289 LUSAKA/162 CAPETOWN/160
RR LONDON/1270 WASHINGTON/666

FM. NAIROBI / FILE 235/1

C O N F I D E N T I A L

OAU : WESTERN SAHARA

(SUMMARY) - THE OAU BUREAU MEETING IN NAIROBI DID NOT RESOLVE THE QUESTION OF THE ADMISSION OF THE RASD TO THE OAU COUNCIL OF MINISTERS MEETING IN ADDIS. NEITHER DID IT PROVIDE CLEAR GUIDELINES AS TO HOW THE OAU OR THE CHAIRMAN MIGHT PROCEED TO RESOLVE THE QUESTION. THERE CONTINUES TO BE A GREAT DEAL OF CONFUSION IN THE OAU AS TO WHAT COULD BE THE NEXT USEFUL STEP. HOWEVER THERE IS ALSO SOME CONFIDENCE THAT THE MATTER IS NOT BEYOND RESOLUTION.

THE OAU BUREAU MET IN NAIROBI ON 22/23 APRIL TO DISCUSS THE PROBLEM POSED BY THE ADMISSION OF RASD TO THE OAU AT THE ADDIS COUNCIL OF MINISTERS MEETING. IT HAD ORIGINALLY BEEN ENVISAGED THAT THERE SHOULD BE A MEETING OF THE BUREAU (CONSISTING OF KENYA, UGANDA, GAMBIA, LESOTHO, CONGO, TANZANIA, UPPER VOLTA, LIBYA, ANGOLA) PLUS NIGERIA, SUDAN AND GUINEA. HOWEVER THE SUDANESE REFUSED TO ATTEND SUCH A MEETING ON THE GROUNDS THAT THE BUREAU (WHOSE PRINCIPAL FUNCTION IS TO ASSIST THE CHAIRMAN AT THE MEETING AT WHICH IT IS ELECTED) HAD NO LEGAL BASIS TO PRONOUNCE ON THE QUESTION OF THE RASD'S ADMISSION AND ITS WITHDRAWAL WAS FOLLOWED BY THAT OF MOROCCO'S OTHER PRINCIPAL SUPPORTER, GUINEA. AS THE SOLE REMAINING NON-BUREAU MEMBER NIGERIA THEN DECIDED ALSO TO PULL OUT OF THE MEETING AND ALSO AS A RESULT THE VENUE WAS CHANGED FROM LAGOS TO NAIROBI.

2. IN THE EVENT 8 MEMBERS OF THE BUREAU TURNED UP. ANGOLA DID NOT ATTEND. WE WERE TOLD THIS WAS BECAUSE THE MEETING WAS HELD AT LATE NOTICE AND THAT THE ANGOLAN FOREIGN MINISTER WAS INVOLVED IN OTHER OFFICIAL VISITS. ONLY 3 HEADS OF STATE ATTENDED, MOI, OBOTE AND NYERERE, AND SOME DELEGATIONS, E.G. LESOTHO, (WHICH SENT THE HIGH COMMISSIONER IN NAIROBI) WERE AT A VERY LOW LEVERL. ON THIS SCORE, MOROCCO PUBLICLY CHARGED THAT OAU SECRETARY-GENERAL KODJO HAD SENT

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DELEGATIONS TO SELECTED AFRICAN STATES (HE SPECIFICALLY MENTIONED LESOTHO) TO PERSUADE THEM NOT TO ATTEND THE MEETING AT HEAD OF STATE LEVEL SO AS TO SABOTAGE IT.

3. AT THE CONCLUSION OF THE MEETING THE BUREAU PRODUCED A COMMUNIQUE WHICH WAS VERY BROADLY WORDED AND THE MAIN ELEMENTS OF WHICH WERE A CONVICTION THAT THE OAU WOULD RESOLVE THE PROBLEM, A PLEA TO MEMBER STATES TO OVERCOME THEIR DIFFERENCES, AN APPEAL TO ALL MEMBER STATES TO ENSURE THAT ALL THE ORGANS OF THE OAU CONTINUE TO FUNCTION NORMALLY. IT UNDERLINED THAT ANY SUCH QUESTION COULD ONLY BE RESOLVED AT HEAD OF STATE LEVEL AND THAT THE TRIPOLI SUMMIT WOULD PROVIDE A FORUM FOR TACKLING THIS PROBLEM. IT ALSO NOTED THAT A NUMBER OF STATES HAD CALLED FOR AN EXTRAORDINARY MEETING OF HEADS OF STATE AND THAT THE CONVENING OF ANY SUCH MEETING MUST BE IN TERMS OF THE LEGALITIES OF THE CHARTER. THE FULL COMMUNIQUE WILL BE SENT BY BAG.

4. THE DECISION OF THE BUREAU EFFECTIVELY DOES NOT TAKE THE OAU VERY MUCH FURTHER DOWN THE PATH TO A SOLUTION. TO SOME EXTENT THIS FAILURE TO PRONOUNCE ON THE SUBSTANCE OF THE PROBLEM WAS DUE TO THE RECOGNISED FACT THAT THE BUREAU HAD NO MANDATE TO MAKE ANY SUCH ANNOUNCEMENT, AND THAT A CHALLENGE TO A BUREAU DECISION COULD FURTHER COMPLICATE THE MATTER. THE FAILURE IS, HOWEVER, ALSO AN INDICATION OF THE DEGREE OF CONFUSION IN THE OAU AS TO HOW THE MATTER CAN BEST BE HANDLED AS WELL AS THE DEPTH OF CONFUSION BETWEEN THE FACTIONS INVOLVED. THE BUREAU'S ONLY MAJOR RECOMMENDATION WAS THAT THE MATTER SHOULD BE RESOLVED AT HEAD OF STATE LEVEL AND A RECOGNITION THAT THIS COULD BE AT EITHER AN EXTRAORDINARY MEETING OR IF THIS WERE NOT HELD AT THE SUMMIT IN TRIPOLI.

5. WE DISCUSSED THE MEETING WITH ONU, ASSISTANT SECRETARY-GENERAL, OAU, WHO APPEARED CONVINCED THAT THE PROBLEM WOULD BE RESOLVED. HE SAID THAT THERE WERE ENOUGH OF THE ''OLD MEN IN AFRICA'' STILL AROUND WHO DID NOT WANT TO SEE THE DEMISE OF THE OAU AND THAT THERE WAS A GROWING FEELING WITHIN THE RANKS OF THE OAU THAT THE LARGER QUESTION OF UNITY OVER-RODE THE IMMEDIATE ISSUE OF MOROCCO AND THE POLISARIO.

6. ONU TOLD US THAT IT MIGHT BE POSSIBLE FOR AN EXTRAORDINARY MEETING TO BE HELD IF THOSE WHO WANTED TO CALL IT FOLLOWED THE RIGHT PROCEDURES. THE PROBLEM WAS THAT AT THE MOMENT THOSE WHO WANTED TO CALL THE MEETING WERE NOT PREPARED TO FOLLOW THE CORRECT CHARTER PROCEDURES. THEY WERE APPROACHING THE CHAIRMAN WHO HAD NO RIGHT TO CALL SUCH A MEETING INSTEAD OF THE SECRETARY-GENERAL. (THE PROCEDURE IS THAT THE SECRETARY-GENERAL WOULD THEN WRITE TO ALL MEMBER STATES SEEKING THEIR VIEWS AND THAT IF 2/3 AGREED THE MEETING WOULD BE HELD.) THERE WAS AN OBVIOUS REASON FOR THIS THAT THEY DID NOT WISH TO DEAL WITH THE SECRETARY-GENERAL BUT ONLY BY DOING SO COULD SUCH A MEETING BE CALLED. (WE WERE TOLD BY THE SUDANESE AMBASSADOR IN

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NAIROBI THAT SUDAN WHO HAD EARLIER CALLED ON THE CHAIRMAN FOR AN EXTRAORDINARY MEETING DID NOT INTEND TO DEAL WITH THE SECRETARY-GENERAL AS THEY ''DID NOT RECOGNISE HIS EXISTENCE''.) ONU ALSO SAID THAT THOSE WANTING THE MEETING WERE ON THE WRONG TRACK AS REGARDS THE SUBJECT MATTER. THEY HAD CALLED FOR A MEETING TO DISCUSS THE QUESTION OF THE ADMISSION OF THE RASD. SO FAR AS 26 COUNTRIES WERE CONCERNED THIS QUESTION HAD ALREADY BEEN RESOLVED AND THERE WAS NO BASIS FOR A MEETING TO BE CALLED TO DISCUSS IT. HOWEVER, IF THE REQUEST WERE TO BE COUCHED IN TERMS OF THE QUESTION OF THE UNITY OF THE OAU THEN A NUMBER OF THE 26 COUNTRIES WOULD BE PREPARED ON THAT BASIS TO ATTEND AN EXTRAORDINARY MEETING.

7. WHEN ASKED AT AN EXTRAORDINARY HEADS OF STATE MEETING OR AT THE LIBYA SUMMIT IT WOULD BE POSSIBLE TO EXCLUDE THE POLISARIO, ONU SAID THAT IN THE INTERESTS OF RESOLVING THE LARGER QUESTION OF THE OAU ITSELF HE FELT THAT EVEN IN LIBYA ARRANGEMENTS COULD BE MADE FOR THE POLISARIO TO BE LEFT OUTSIDE THE DOOR WHILE THIS QUESTION WAS BEING DISCUSSED.

8. IN THE MEANTIME, IDEAS WERE BEING FLOATED TO FORM THE BASIS FOR A PERMANENT SOLUTION TO THE PROBLEM. THE MOST LIKELY ONE TO GAIN MAJORITY SUPPORT WAS THAT IN RETURN FOR MOROCCAN AGREEMENT TO AN EARLY DATE FOR A REFERENDUM AND A CEASEFIRE THAT A DECISION OF THE SECRETARY-GENERAL BE SUSPENDED UNTIL SUCH TIME AS THE ELECTIONS WERE HELD AND THE PEOPLE MADE THEIR CHOICE. THE IMPLEMENTATION COMMITTEE WOULD THUS CONTINUE ITS WORK AND WOULD ATTEMPT TO ACHIEVE SOME AGREEMENT ON THESE CRITICAL DATES. ONU SAID THAT DESPITE THE PRONOUNCEMENT BY THE POLISARIO THAT THE IMPLEMENTATION COMMITTEE NO LONGER HAD A MANDATE TO OPERATE ON THE WESTERN SAHARA THAT IT WAS CLEAR DURING THE BUREAU MEETING THAT HEADS OF STATE DID NOT ACCEPT THIS PROPOSITION. ONU SAID THAT PROVIDED IT WERE POSSIBLE TO ARRANGE TO HOLD A REFERENDUM BEFORE THE TRIPOLI SUMMIT THE SUMMIT COULD POSSIBLY BE DELAYED TO ALLOW THE REFERENDUM TO TAKE PLACE.

9. ONU ADMITTED HOWEVER THAT THERE WERE STILL A NUMBER OF MAJOR ISSUES TO BE RESOLVED BEFORE A REFERENDUM COULD BE HELD, NOT ONLY THE QUESTION OF DATES. THERE WAS, FOR EXAMPLE, THE QUESTION OF POPULATION FIGURES, (HE HAD A COPY OF THE 1974 CENSUS CONDUCTED BY THE SPANISH GOVERNMENT AND HE FELT THIS COULD BE A USEFUL BASIS) AS WELL AS UN SUPPORT FOR THE ADMINISTRATION AND PEACEKEEPING OPERATIONS IN THE SAHARA DURING THE REFERENDUM PERIOD. IN THIS LATTER RESPECT, HE ADMITTED THAT THE OAU SIMPLY DID NOT HAVE THE CAPACITY TO UNDERTAKE THIS TASK AND WOULD HAVE TO GO TO THE UN. HE EXPECTED THAT THE PROCESS OF APPROACHING THE UN SECURITY COUNCIL AND GETTING A DECISION FROM THEM WOULD TAKE AT LEAST A MONTH. ONU ALSO ADMITTED THAT A MAJOR PROBLEM SEEMED TO BE THAT THE POLISARIO WERE BECOMING LESS AND LESS INCLINED TO AGREE TO A REFERENDUM ARGUING THAT THE QUESTION OF THE PEOPLE'S CHOICE HAD ALREADY BEEN RESOLVED BY THE OAU.

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HOWEVER, HE FELT THAT IF THE RIGHT CONDITIONS WERE PREPARED FOR THE HOLDING OF A REFERENDUM NEITHER THE POLISARIO NOR ITS STRONGEST SUPPORTERS IN THE OAU WOULD BE ON VERY FIRM GROUND TO REFUSE TO PARTICIPATE.

10. WE HAVE ALSO SPOKEN TO THE KENYANS ABOUT THE MEETING. THEY EXPRESSED DISAPPOINTMENT THAT SO FEW HEADS OF STATE TURNED UP AND THAT NO CLEAR GUIDELINES FOR THE CHAIRMAN EMERGED OUT OF THE DISCUSSION. THE KENYANS PUT THIS DOWN TO THE FACT THAT THE MAJORITY OF BUREAU MEMBERS (SIX OUT OF THE NINE) ARE SUPPORTERS OF THE POLISARIO. THE KENYANS ARE ATTEMPTING TO CONTINUE EFFORTS TO GET A CEASE FIRE AND REFERENDUM DATE BUT DO NOT HOLD MUCH HOPE OF THIS BEING ACHIEVED BEFORE THE TRIPOLI SUMMIT. NEITHER DO THEY HOLD MUCH HOPE THAT THERE WILL BE AN EXTRAORDINARY MEETING BEFORE THE SUMMIT AND THEY WILL NOT BE ENCOURAGING IT. (PRINCIPALLY BECAUSE THE COST OF THE MEETING IS LIKELY TO FALL ON THEIR SHOULDERS AND THE OUTCOME COULD BE DISASTEROUS.) THEY HAVE TOLD US THAT THEY WOULD RESIST ANY ATTEMPT TO DELAY THEIR HANDOVER OF THE CHAIRMANSHIP TO THE LIBYANS IN TRIPOLI AND GAVE THE STRONG IMPRESSION THAT AS A RESULT OF THE DIFFICULTIES THEY HAVE FACED OVER THE WESTERN SAHARA ISSUE THAT THEY WOULD BE ONLY TOO GLAD TO SEE THE END OF THEIR CHAIRMANSHIP OF THE OAU AND TO PLACE THE RESPONSIBILITY ON LIBYA WHICH THEY PROBABLY SEE AS BEING A MAJOR CAUSE OF THE POLISARIO PROBLEM.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JCAA
JAF

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) ANZ EUR CN FAS(DN) NUC
NPD NS DEF DPR FAS(IOAME) IO
FAS(ECO) FAS(LT) FAS(MFS) FAREP-M
FAREP-P FAREP-S DIR-ADAB

JEDDAH MOSCOW PEKING PRETORIA

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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935/28/2.

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

O.NA15758 DEDU
TOR 16.48 20.04.82

O.NA15758 1200 19.4.82 CLA

TO.
RR CANBERRA/4312

RP.
RR LAGOS/802 ACCRA/438 CAIRO/387
RR PARIS EMB/283 DAR ES SALAAM/1031 ALGIERS/063
RR UN NEW YORK/696 SALISBURY/279 WASHINGTON/661
RR LUSAKA/153

FM. NAIROBI / FILE 235/1

R E S T R I C T E D

OAU : WESTERN SAHARA

WE HAVE BEEN TOLD BY AFANDE, CHIEF OF PROTOCOL, KENYAN MFA THAT THE MEETING ON THE WESTERN SAHARA WHICH WAS TO HAVE BEEN HELD IN LAGOS IS NOW TO BE TRANSFERRED TO NAIROBI. IT WILL STILL BE HELD OVER THE SAME PERIOD, 22-24 APRIL. AFANDE ALSO SAID THAT THE MEETING IS NOW TO BE RESTRICTED TO MEMBERS OF THE BUREAU.

ACTION: FOREIGN AFFAIRS
ONA

DEP DEFENCE DEP P M AND CABINET JIO

ACTION: AME JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX PA FAS(SEP) FAS(NSA)
FAS(EANZ) EUR CN FAS(DN) NUC DPR
FAS(IOAME) IO FAS(ECO) FAS(LT)
FAS(MFS) FAREP-M FAREP-P FAREP-S

LONDON MOSCOW PEKING PRETORIA

RESTRICTED

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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935/28/2.

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

O.NA15679 CABE
TOR 23.10 06.04.82

O.NA15679 1430 6.4.82 CLA

TO.
PP CANBERRA/4237

RP.
RR WASHINGTON/657 LAGOS/794 DAR ES SALAAM/1023
RR ACCRA/432 SALISBURY/270 LUSAKA/147
RR ALGIERS/062 CAIRO/384 PRETORIA/434
RR UN NEW YORK/692

FM. NAIROBI / FILE 235/1

R E S T R I C T E D

OAU : WESTERN SAHARA/CHAD

WE HAVE BEEN TOLD BY KENYAN MFA THAT A MEETING OF OAU HEADS OF STATE WILL BE HELD IN LAGOS ON 22 APRIL TO DISCUSS THE QUESTION OF THE WESTERN SAHARA. THOSE STATES ATTENDING WILL BE MEMBERS OF THE BUREAU ELECTED AT THE NAIROBI SUMMIT (KENYA, GAMBIA, LESOTHO, CONGO, TANZANIA, UPPER VOLTA, LIBYA, ANGOLA AND UGANDA) PLUS NIGERIA, SUDAN AND GUINEA.

2. DURING THE WEEKEND RASD FOREIGN MINISTER HAKKIM VISITED NAIROBI TO DELIVER A MESSAGE FROM RASD ''PRESIDENT'' ABDELAZIZ TO PRESIDENT MOI. ACCORDING TO HAKKIM THE MESSAGE ADVISED MOI THAT THE SADR CONSIDERED THAT THERE WAS NO LONGER ANY NEED FOR THE IMPLEMENTATION COMMITTEE ON THE WESTERN SAHARA AS WITH THE ADMISSION OF THE RASK ITS WORK WAS ''AT AN END''. THE MESSAGE ALSO SAID THAT THERE WAS NO BASIS FOR A MEETING OF HEADS OF STATE TO CONSIDER RASD'S ADMISSION TO THE OAU AS THEIR MEMBERSHIP WAS NOW AN INDISPUTABLE FACT.

3. AT A PRESS CONFERENCE AFTER HIS MEETING WITH MOI, HAKKIM SAID THAT THE RASK WAS OPPOSED TO THE PROPOSED MEETING OF HEADS OF STATE TO CONSIDER ITS ADMISSION, ARGUING THAT THE CASE FOR ITS ADMISSION WAS CLEAR AND THAT AS IT WAS NOW A FULL LEGAL MEMBER OF THE OAU THERE WAS NO REASON FOR SUCH A MEETING TO BE HELD. HAKKIM ALSO STRONGLY CRITICISED THE INCLUSION OF SUDAN AND GUINEA IN THE LIST OF PARTICIPATING COUNTRIES AS THESE WERE CLOSELY INVOLVED IN ''MOROCCAN MANOEUVRING''. HAKKIM CLAIMED THAT RASD WOULD ''BOYCOTT'' THE PROPOSED LAGOS MEETING. (IT HAS NOT, IN FACT, BEEN INVITED.)

4. WE UNDERSTAND FROM THE SUDAN EMBASSY IN NAIROBI THAT FOLLOWING THE WESTERN SAHARA MEETING IN LAGOS THERE WILL BE A MEETING ON CHAD. THE PARTICIPATING COUNTRIES IN THAT MEETING WILL BE THE

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IN

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BUREAU ELECTED IN NAIROBI, PLUS NIGERIA, CAMEROON, SENEGAL, CHAD, ZAIRE AND SUDAN. THIS MEETING WILL DISCUSS THE FAILURE OF THE CHADIAN GOVERNMENT TO ADHERE TO THE TIMETABLE PROPOSED BY THE RECENT OAU MEETING IN NAIROBI AND THE FUTURE OF THE OAU PEACEKEEPING FORCE IN CHAD.

5. WE WERE TOLD BY THE SUDAN EMBASSY THAT THERE ARE NOW MORE HOPEFUL SIGNS THAT THE CHADIANS MIGHT BE PREPARED TO CONSIDER AGREEING TO A CEASEFIRE AND THAT DURING A RECENT VISIT BY A SENIOR CHADIAN MINISTER TO GABON, THE CHADIANS HAD INDICATED THIS TO THE GABONESE. THE SUDANESE PUT THIS NEW ATTITUDE DOWN TO THE FAILURE OF GOUKOUNI'S FORCES TO THROW BACK THOSE OF HABRE AND SOME HESITATION ON THE PART OF THE LIBYANS TO RESPOND TO OVERTURES TO RETURN TO CHAD IN SUPPORT OF GOUKOUNI.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
FOREIGN MINISTER
MIN DEFENCE
DEP DEFENCE
DEP P M AND CABINET
JIO

ACTION: AME
JCAA

SEC
DEPSEC-A
DEPSEC-B
DEPSEC-C
PPU
LA
EX
MCO
PA
FAS(SEP)
FAS(NSA)
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DEF
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FAS(LT)
FAS(MFS)
FAREP-M
FAREP-P
FAREP-S

LONDON
MOSCOW
PARIS EMB
PEKING

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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INFO: IO
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INWARD CABLEGRAM

O.SA3194 KPMO
TOR 19.50 02.04.82

O.SA3194 1000 2.4.82 UNC

TO.
RR CANBERRA/2954

RP.
RR NAIROBI/260

FM. SALISBURY / REF O.SA3189

U N C L A S S I F I E D

OAU : WESTERN SAHARA

THE EIGHT MEMBER STATES WHO DECLINED TO ATTEND THE OPENING OF THE OAU LABOUR CONFERENCE HAVE ANNOUNCED THAT THEY WILL CONTINUE TO STAY AWAY FROM THE MEETING UNTIL AT LEAST MONDAY WHEN MINISTERS BEGIN THEIR DISCUSSIONS.

2. THE MAURITIAN DELEGATE, HERVE DUVAL, WAS REPORTED AS SAYING THAT THE EIGHT MEMBER STATES HAD DECIDED NOT TO ATTEND THE CONFERENCE BECAUSE THE ISSUE OF SADR MEMBERSHIP OF THE OAU WAS STILL UNDER REVIEW BY A GROUP OF SEVEN HEADS OF STATES AS REQUESTED BY THE CURRENT CHAIRMAN, PRESIDENT MOI OF KENYA. DUVAL SAID THAT TO ''ACCEPT THE DECISION OF THE OAU SECRETARY-GENERAL.... WOULD APPEAR DISCOURTEOUS TO THE WORK DONE BY PRESIDENT MOI AND THE SEVEN OTHER HEADS OF STATE''.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

ACTION: AME
JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
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FAS(IOAME) IO FAS(ECO) FAS(LT)
FAS(MFS) FAREP-M FAREP-P FAREP-S

ACCRA ALGIERS CAIRO DAR ES SALAAM LAGOS LONDON LUSAKA MOSCOW PARIS EMB PEKING PRETORIA UN NEW YORK WASHINGTON

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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INFO: IO
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INWARD CABLEGRAM

O.SA3189 AMBR
TOR 23.57 01.04.82

O.SA3189 1415 1.4.82 UNC

TO.
RR CANBERRA/2950

RP.
RR NAIROBI/259

FM. SALISBURY /

U N C L A S S I F I E D

OAU : WESTERN SAHARA

EIGHT OAU MEMBER STATES DECLINED TO ATTEND THE OPENING OF THE LABOUR MINISTER'S MEETING IN SALISBURY ON 31 MARCH. THE EIGHT MEMBER STATES WERE: MOROCCO, IVORY COAST, MAURITIUS, SOMALIA, LIBERIA, TUNISIA, ZAIRE AND SENEGAMBIA. THE EIGHT DECLINED TO ATTEND BECAUSE OF THE PRESENCE OF A DELEGATION FROM THE SAHARAWI ARAB DEMOCRATIC REPUBLIC.

2. THE RASD MINISTER OF INFORMATION, MOHAMMED SALEM OULD SELEK, CRITICISED THE EIGHT AND SAID HIS COUNTRY HAD BEEN ACCEPTED BY THE OAU AND ''THIS DECISION IS IRREVERSIBLE AND THE MOROCCAN GOVERNMENT HAS NO CHOICE OTHER THAN ACCEPTING THIS REALITY''. HE CRITICISED THE UNITED STATES FOR ATTEMPTING TO BRING PRESSURE TO BEAR ON COUNTRIES NOT TO ATTEND THE OAU SUMMIT.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

ACTION: AME
JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) EUR CN FAS(DN) DEF DPR
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ACCRA ALGIERS CAIRO DAR ES SALAAM LAGOS LONDON LUSAKA MOSCOW PARIS EMB PEKING PRETORIA UN NEW YORK WASHINGTON

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DIPLOMATIC COMMUNICATIONS NETWORK

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IN

O.NA15619 KPMO
TOR 00.05 30.03.82

O.NA15619 1500 29.3.82 CLA

TO.
PP CANBERRA/4181

RP.
PP DAR ES SALAAM/1016 ACCRA/426 LAGOS/788
PP SALISBURY/265 PRETORIA/430 CAPETOWN/148
PP LUSAKA/143 CAIRO/383 UN NEW YORK/690
PP WASHINGTON/654 ALGIERS/061 LONDON/1231

FM. NAIROBI / FILE 235/1

C O N F I D E N T I A L

OAU : WESTERN SAHARA

NAIROBI NEWSPAPERS HAVE REPORTED THAT ON 23 MARCH MOROCCAN FOREIGN MINISTER, MOHAMMED BOUCETTA, MET PRESIDENT MOI AND CONVEYED TO HIM, AS OAU CHAIRMAN A REQUEST FROM SUDANESE PRESIDENT NUMEIRY THAT MOI CONVENE AN EXTRAORDINARY MEETING OF HEADS OF STATE AND GOVERNMENT. ACCORDING TO THE REPORTS THE SUDANESE REQUEST STRESSED THAT SUCH A MEETING WAS ''NECESSARY TO SAFEGUARD THE UNITY AND LEGITIMACY OF THE OAU''.

2. AT A PRESS CONFERENCE AFTER HIS MEETING BOUCETTA SAID THAT THE EXTRAORDINARY MEETING WOULD HAVE THE POWER TO RULE ON THE DECISION MADE BY OAU SECRETARY-GENERAL KODJO TO ADMIT TO POLISARIO. BOUCETTA ALSO INDICATED THAT HE WOULD BE VISITING TANZANIA, NIGERIA AND OTHER AFRICAN COUNTRIES TO SEEK THEIR VIEWS ON THE HOLDING OF SUCH A MEETING.

3. WE WERE TOLD BY BERNARD ADUNDO WHO IS AN ADVISOR TO PRESIDENT MOI ON OAU MATTERS THAT IT WAS NOT THE RESPONSIBILITY OF THE CHAIRMAN TO CALL SUCH A MEETING. THE CHARTER OF THE OAU STIPULATED THAT IT WAS FOR THE COUNTRY WHO WAS SEEKING A MEETING TO MAKE A REQUEST TO THE SECRETARY-GENERAL THAT HE CIRCULATE ALL MEMBER STATES FOR THEIR OPINION. IF 2/3 OF THE MEMBERSHIP AGREED TO THE MEETING IT COULD THEN BE HELD. THE KENYANS HAD ADVISED THE MOROCCANS THAT THIS PROCEDURE SHOULD BE FOLLOWED.

4. IN DISCUSSIONS WITH A NUMBER OF KENYAN MFA OFFICIALS WE HAVE NOTED A DISTINCT LACK OF KENYAN ENTHUSIASM FOR THE HOLDING OF AN EXTRAORDINARY SUMMIT. THE KENYANS CLEARLY DO NOT WANT TO BE SADDLED WITH THE EXPENSE AND ADMINISTRATIVE PROBLEMS OF A SUMMIT. THEY ALSO FEEL THAT GIVEN THE DISTINCT POSSIBILITY THAT THE PROBLEM IS UNLIKELY TO BE RESOLVED AT SUCH A MEETING SATISFACTORILY FOR THE MAJORITY OF

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OAU MEMBERS, THAT THEY ARE NOT KEEN TO PRESIDE OVER IT. WE HAVE HEARD THAT THE KENYANS ARE HOWEVER CURRENTLY GIVING SOME THOUGHT TO HOLDING A MINI SUMMIT TO WHICH A SMALL NUMBER OF INFLUENTIAL COUNTRIES (WE HAVE HEARD MENTIONED NIGERIA, TANZANIA, SUDAN, GUINEA, CAMEROON AND POSSIBLY SOME OTHERS) WOULD BE INVITED. SOME OAU MEMBER MISSIONS IN NAIROBI TO WHOM WE HAVE SPOKEN OF THIS ARE DUBIOUS AS TO THE ACCEPTABILITY OF THE RESULT OF SUCH A MINI SUMMIT TO THE CHIEF PROTAGONISTS ON EITHER SIDE SHOULD THEIR CASE BE LOST.

5. WE HAVE BEEN TOLD BY THE ASSISTANT MINISTER FOR FOREIGN AFFAIRS, MUNYI, THAT DESPITE THE PROBLEMS POSED BY RASD'S ADMISSION TO THE COUNCIL OF MINISTER'S MEETING IN ADDIS ABABA MOI IS DETERMINED TO PURUSE THE MANDATE GIVEN TO HIM BY THE RECENT MEETING OF THE WESTERN SAHARA IN NAIROBI TO NEGOTIATE THE TERMS OF A CEASEFIRE IN THE WESTERN SAHARA AND IN THIS VEIN INTENDS TO VISIT ALGERIA AND MOROCCO AFTER HIS SCHEDULED VISIT TO JAPAN IN MID APRIL.

6. NAIROBI NEWSPAPERS HAVE ALSO REPORTED (APPARENTLY ON THE BASIS OF INFORMATION PROVIDED BY BOUCETTA AT HIS PRESS CONFERENCE) THAT 22 COUNTRIES HAVE NOW INDICATED THAT THEY WOULD BOYCOTT ANY MEETING TO WHICH THE POLISARIO WAS INVITED. APART FROM THE 19 WHO WALKED OUT IN ADDIS ABABA, THE MOROCCAN LIST INCLUDED NIGERIA, TOGO AND SIERRA LEONE. (TOGO IS OF PARTICULAR INTEREST AS OAU SECRETARY-GENERAL KODJO IS TOGOLESE AND AN POSITION SUCH AS THIS BY HIS GOVERNMENT ON THE DECISION HE MADE TO ADMIT THE POLISARIO IN ADDIS WOULD SEEM TO SIGNIFICANTLY DIMINISH HIS CHANCES OF RE-ELECTION TO THE SECRETARY-GENERALSHIP IN TRIPOLI.)

7. ON THE OTHER HAND, ACCORDING TO NEWSPAPER REPORTS, ALSO APPARENTLY BASED ON MOROCCAN INFORMATION, 9 COUNTRIES HAVE INDICATED THAT THEY WILL NOT ATTEND ANY OAU MEETING WHERE THE POLISARIO IS NOT/NOT REPRESENTED. THESE ARE ALGERIA, MALI, GUINEA BISSAU, MAURITANIA, ANGOLA, MOZAMBIQUE, ZIMBABWE, SAO TOME AND PRINCIPE.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
JIO

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
SPEC. ADVISER TO P.M

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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INWARD CABLEGRAM

3-O.NA15619

ACTION: AME JCAA

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MOSCOW PARIS EMB PEKING

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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RE.40A

FOREIGN AFFAIRS

FILE COPY

DATE 17 March 1982

INFORMATION.

GENEVA
LONDON
MOSCOW

DOCUMENT REFERENCE M. 30749

SUBJECT CATEGORY CODE

TO. ADDRESSEES LISTED BELOW

REF. M UN8154

TO FILE. 103/3/4
412/1

FM. CANBERRA

CLASSIFICATION. RESTRICTED

FM. FILE. 935/28/2

SUBJECT. UNGA 36 : WESTERN SAHARA

UN NEW YORK
PARIS EMB
ALGIERS
NAIROBI
WASHINGTON

Thank you for the useful and comprehensive item report with your reference memo. Your comments on Algerian tactics in paras. 9 and 12 confirm our view that we were correct, in the circumstances, in abstaining on the Algerian resolution at UNGA 36. On the other hand, your para.10 indicates that Morocco can really claim no moral credit for having withdrawn its resolution.

2. Although Australia does not itself have a major interest in the Western Sahara question, we regard ourselves as committed to the decolonisation process there, and have been somewhat concerned that recent developments, such as Haig's visit to Rabat, various statements by the Americans and Moroccans, and the Moroccans' tough stand at the OAU Implementation Committee's meeting in Nairobi (O.NA15198) could delay a satisfactory solution to the problem. We have also been concerned about the division within the OAU resulting from the controversy over the RASD's admission to OAU membership at the recent Council of Ministers meeting in Addis Ababa.

3. Posts will have noted our decision, in somewhat different circumstances to those at UNGA 36, to vote in favour of the Algerian draft resolution on Western Sahara at CHR 38. We will be closely following further developments during this year, in regard to our likely voting position at UNGA 37. In this context, we would be grateful for continued reporting of developments by addressee posts.

(J.G. Powys)
UN Political Section

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O.NA15471 JAMC
TOR 22.30 12.03.82

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TO.
PP CANBERRA/4039

RP.
RR ACCRA/414 WASHINGTON/647 LONDON/1209
RR PARIS EMB/279 CAIRO/377 LAGOS/771
RR ALGIERS/57 SALISBURY/248 LUSAKA/129
RR DAR ES SALAAM/1003

FM. NAIROBI / FILE 235/1 REF O.NA15435

U N C L A S S I F I E D

OAU: CHAD/WESTERN SAHARA

WE HAVE NOW RECEIVED THE FULL TEXT OF THE STATEMENT MADE BY KENYAN FOREIGN MINISTER, OUKO, ON 5 MARCH ON BEHALF OF PRESIDENT MOI FOLLOWING MOI'S DISCUSSIONS WITH BOTSWANA'S FOREIGN MINISTER, MOGWE, AND SECRETARY-GENERAL KODJO ABOUT WESTERN SAHARA.

2. THE STATEMENT MADE CLEAR THAT MOI INTENDS TO CARRY OUT THE MANDATE GIVEN TO HIM BY THE IMPLEMENTATION COMMITTEE ON WESTERN SAHARA IN SPITE OF WHAT OCCURRED AT THE OAU MEETING IN ADDIS ABABA AND THAT THIS MANDATE WAS TO CONDUCT ''SEPARATE NEGOTIATIONS'' WITH MOROCCO AND POLISARIO. HE ADDED THAT THE IMPLEMENTATION COMMITTEE ON WESTERN SAHARA HAD BEEN ESTABLISHED BY HEADS OF STATE AND ''NO ACTION BY THE COUNCIL OF MINISTERS CAN HAVE THE EFFECT OF DISSOLVING THAT COMMITTEE''. MOI ALSO REMAINED ''NEUTRAL'' ON THIS EXPLOSIVE ISSUE.

3. ON CHAD, MOI ANNOUNCED THAT HE INTENDED TO SEND A HIGH LEVEL DELEGATION TO CHAD TO HOLD DISCUSSIONS WITH CHADIAN PRESIDENT ONEDDI. WE UNDERSTAND THAT OUKO LEFT NAIROBI LAST NIGHT AT THE HEAD OF THIS MISSION.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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INWARD CABLEGRAM

2-O.NA15471

ACTION: AME JCAA

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NS DEF DPR FAS(IOAME) IO FAS(ECO)
FAS(LT) FAS(MFS) FAREP-M FAREP-P
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MOSCOW PEKING PRETORIA UN NEW YORK

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

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TOR 00.23 10.03.82

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TO.
PP CANBERRA/4006 LAGOS/766 ALGIERS/56
PP UN NEW YORK/683

RP.
RR ACCRA/408 CAIRO/374 LUSAKA/124
RR SALISBURY/241 DAR ES SALAAM/998 PRETORIA/416

RR WASHINGTON/645 PARIS EMB/276 LONDON/1200

FM. NAIROBI / FILE 235/1

C O N F I D E N T I A L

OAU: WESTERN SAHARA

THE ISSUE OF THE SEATING OF THE RASD DOMINATED THE OAU COUNCIL OF MINISTER'S MEETING IN ADDIS ABABA AND LED TO WITHDRAWAL OF A TOTAL OF 19 AFRICAN COUNTRIES FROM PARTICIPATION IN THE MEETING. THE DECISION HAS OPENED UP A CONSIDERABLE RIFT IN THE OAU AND WHILE MOST COUNTRIES FEEL A SOLUTION WILL BE FOUND WHICH WILL PREVENT A BREAKDOWN OF THE TRIPOLI SUMMIT, NO ONE AS YET HAS ANY CLEAR IDEA OF WHAT THAT SOLUTION WILL BE . (SUMMARY)

THE DECISION TO SEAT THE RASD AT THE RECENT OAU COUNCIL OF MINISTER'S MEETING IN ADDIS ABABA WAS TAKEN BY THE SECRETARY-GENERAL KODJO, ALONE AND WITHOUT CONSULTATION WITH EITHER THE CURRENT CHAIRMAN(MOI) THE MEETING'S CHAIRMAN (OUKO) OR HIS MOST SENIOR SECRETARIAT OFFICIALS. WE UNDERSTAND THAT WHILE THE RASD WERE FORMALLY ADVISED BY KODJO IN A LETTER 3 DAYS BEFORE THE MEETING, THE INFORMATION WAS HELD VERY CLOSELY. SENIOR MEMBERS OF THE SECRETARIAT DID NOT KNOW OF IT UNTIL 2-3 HOURS BEFORE THE SESSION WAS TO START, AND THE CHAIRMAN (OUKO) UNTIL HE WAS ABOUT TO ENTER THE HALL. DELEGATIONS (APART FROM ETHIOPIA AND LIBYA WHO KNEW IN ADVANCE) SIMPLY ENTERED THE HALL TO FIND A LARGE (11 MEMBER) RASD DELEGATION, LED BY ''FOREIGN MINISTER'' HAKKIM, IN PLACE.

2. DESPITE PLEAS PRIVATELY BY THE MOROCCANS AND GUINEA OF THE CHAIRMAN NOT TO OPEN THE MEETING, OUKO (ALTHOUGH REPORTEDLY FURIOUS) DECIDED TO ALLOW THE OPENING SESSION TO PROCEED. AT THAT STAGE ONLY MOROCCO REFUSED TO SIT ALONGSIDE THE RASD.

3. AFTER THE OFFICIAL OPENING THE MEETING WENT INTO CLOSED SESSION FOR THE ELECTION OF THE BUREAU AND IMMEDIATELY POINTS OF ORDER WERE RAISED AS A NUMBER OF DELEGATIONS ASKED FOR AN EXPLANATION FROM THE

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SECRETARY-GENERAL AS TO WHY THE RASD WAS SEALED. THE SECRETARY-GENERAL EXPLAINED THAT THE PROBLEM OF THE RASD'S MEMBERSHIP HAD BEEN DRAGGING ON FOR SOME TIME, INDEED SINCE THE FREETOWN SUMMIT, AND HE HAD BECOME A SCAPEGOAT OVER IT. HE WAS NO LONGER PREPARED TO BE A SCAPEGOAT AND THEREFORE HE HAD DISCHARGED HIS RESPONSIBILITIES UNDER ARTICLE 28 OF THE CHARTER WHICH CALLED FOR ADMINISTRATIVE ACTION IN ADMITTING THE RASD ONCE A MAJORITY OF COUNTRIES HAD RECOGNISED IT. AS REQUIRED OF HIM HE HAD FORMALLY NOTIFIED THE RASD THAT IT HAD FULFILLED THE CONDITIONS FOR BEING THE 51ST STATE OF THE OAU AND THAT IT MAY BE SEATED AT THE MEETING.

4. A NUMBER OF COUNTRIES (SUDAN, SENEGAL, COMOROS, SIERRA LEONE, NIGERIA, UPPER VOLTA, ZAIRE, GUINEA) DISAGREED WITH THE SECRETARY-GENERAL'S ACTION ON THE GROUNDS THAT IT PREJUDICED, AND PRE-EMPTED THE WORK OF THE OAU IMPLEMENTATION COMMITTEE ON THE WESTERN SAHARA (IC) WHICH WAS TRYING TO RESOLVE AND MAKING SOME PROGRESS ON THE PROBLEM OF THE WESTERN SAHARA.

5. THE MEETING THEN ADJOURNED AND RESUMED THE FOLLOWING DAY AFTER SOME DELEGATIONS HAD QUESTIONED HIS MANDATE TO CONTINUE AS CHAIRMAN, HAVING FORMALLY HANDED OVER TO AN INCOMING BUREAU (NOT YET ELECTED). (OUKO TOOK THE VIEW HE INDEED NO LONGER HAD A MANDATE TO PRESIDE OVER THE MEETING, SHOULD WITHDRAW FROM THE CHAIR. HE THEN TOOK HIS SEAT IN THE HALL. A SEPARATE MEETING OF HEADS OF DELEGATION TO RESOLVE THE QUESTION OF THE RFD'S ADMISSION WAS THUS HELD INFORMALLY UNDER CONTEH (SIERRA LEONE) AS ''MODERATOR''.
29 DELEGATIONS ATTENDED THIS MEETING. 20 DELEGATIONS SPOKE IN FAVOUR OF THE SECRETARY-GENERAL'S DECISION INCLUDING SEYCHELLES, CONGO, SAO TOME, RWANDA, ZIMBABWE, ETHIOPIA, CHAD, ANGOLA, ALGERIA, BENIN, MADAGASCAR,MOZAMBIQUE, GUINEA-BISSAU AND TOOK THE VIEW THAT THE QUESTION FO RECOGNITION SHOULD NOT BE RELATED TO THE EFFORTS OF THE IC. 9 DELEGATIONS, LED BY GUINEA SPOKE AGAINST THE SECRETARY-GENERAL'S DECISION. GUINEA PROPOSED THAT THE SESSION BE SUSPENDED BUT THE PROPOSAL WAS LOST 9/20.

6. IN THE EVENT, UNDER GREAT PRESSURE, AND RELUCTANTLY OUKO WAS PERSUADED TO RETURN TO THE CHAIR TO ALLOW THE FORMAL SESSION TO RESUME. OUKO AGREED TO RESUME THE CHAIR ON CONDITION THAT HE WAS ONLY THERE TO HAND OVER TO THE BUREAU AND NOT FOR ANY DISCUSSION OF THE RASD. OUKO THEN HANDED OVER TO MOGWE (BOTSWANA) AS THE NEW CHAIRMAN AFTER WHICH THE RASD ISSUE WAS AGAIN RESUMED.
EIGHT COUNTRIES (IVORY COAST, SENEGAL, MOROCCO,GUINEA,ZAIRE, CAMEROON, SUDAN AND CAR) THEN ANNOUNCED THAT IN PROTEST AGAINST THE SECRETARY -GENERAL'S DECISION THEY WERE WITHDRAWING FROM THE MEETING. IVORY COAST WAS CAREFUL TO STRESS THAT THEIR ACTION WAS NOT A REFLECTION OF THEIR VIEW ON THE RASD'S ADMISSION TO THE OAU, BUT SIMPLY ON THE WAY IN WHICH IT HAD BEEN HANDLED.

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7. DURING THE NEXT FEW DAYS, MAURITIUS, TUNISIA(WHICH WITHDREW, RETURNED AND WITHDREW), GAMBIA, SOMALIA, COMOROS, DJIBOUTI, NIGER, GABON, EQUATORIAL GUINEA, ALL WITHDREW FROM THE SESSION.

8 . THE INTENTION OF MOROCCO AND ITS SUPPORTERS WAS TO PERSUADE ENOUGH COUNTRIES TO WITHDRAW FROM THE SESSION THAT THERE WOULD BE NO LONGER A QUORUM(2/3) FOR THE MEETING TO CONTINUE. TO DO THIS THE MOROCCANS NEEDED AT LEAST 18 WITHDRAWALS. THE MOROCCAN DELEGATION (INITIALLY LED BY THE AMBASSADOR TO SUDAN) WAS BEEFED UP MID-SESSION BY THE ARRIVAL OF THE DEPUTY FOREIGN MINISTER.

9. IN AN EFFORT TO FORESTALL THE MOROCCANS, THE BUSINESS OF THE MEETING WAS PUSHED THROUGH AS FAST AS POSSIBLE, AS A RESULT OF WHICH (FOR THE FORST TIME IN MEMORY) THE MEETING WOUND UP BEFORE TIME. PRIOR TO THE FINAL SESSION, 17 COUNTRIES HAD WITHDRAWN AND TWO MORE (LIBERIA AND UPPER VOLTA) WERE PRIVATELY INDICATING THEI R INTENTION TO DO SO. HOWEVER THESE COUNTRIES DID NOT WITHDRAW BEFORE THE SESSION BEGAN AND TOOK THEIR SEATS IN THE HALL TO ANNOUNCE THEIR WITHDRAWAL. AFTER THEIR WITHDRAWAL, AND AS NO OTHER DELEGATION HAD RAISED THE MATTER THE MOROCCANS SENT A NOTE TO THE CHAIRMAN DRAWING HIS ATTENTION TO THE LACK OF A QUORUM AND REMINDING HIM THAT SHOULD IT PROCEED IN THE ABSENCE OF A QUORUM THE MEETING WOULD BE 'ILLEGAL' AND ITS DECISIONS'NULL AND VOID' . HOWEVER THE CHAIRMAN RULED THAT SO LONG AS THERE WAS A QUORUM AT THE START OF THE MEETING IT COULD PROCEED AS THE BUDGET (WHICH NEEDED A 2/3 MAJORITY) HAD ALREADY BEEN PASSED AND OTHER RESOLUTIONS NEEDED ONLY A SIMPLE MAJORITY OF MEMBERS, (WHO WERE PRESENT). EGYPT THEN MADE A LOW KEY INTERVENTION DRAWING ATTENTION TO THE FACT THAT THERE COULD BE SOME FUTURE DIFFICULTIES OVER THE LEGALITY OF THE MEETING.

10. FOLLOWING THE PASSING OF THE RESOLUTIONS THE MEETING WAS OPENED TO THE PUBLIC AND IN HIS FINAL STATEMENT THE CHAIRMAN BOTH WELCOMED THE RASD AS THE 51ST STATE AND REGRETTED THE WALKOUTS. HE APPEALED FOR THE END OF ''WHAT HAS BEEN A DISRUPTIVE AND DIVISIVE CAMPAIGN'' AND FOR RECOGNITION OF THE RASD BY STATES WHO HAD NOT YET DONE SO. HE ALSO CONGRATULATED THE SECRETARY-GENERAL ON HIS ''COMPOSURE'' DURING A DIFFICULT SESSION.

11. THUS DESPITE INDICATIONS THAT THE OAU MEETING WOULD DISBAND OVER THE ISSUE, IT DID NOT, AND THIS WAS LARGELY THE RESULT OF THE DECISION OF THE CHAIRMAN AT THE FINAL SESSION.

12. HOWEVER, THE OAU REMAINS IN A DELIMMA OVER THIS PROBLEM. 19 COUNTRIES HAVE PROTESTED THE DECISION OF THE SECRETARY-GENERAL AND IT IS UNCERTAIN HOW MANY OF THESE WILL HOLD THAT POSITION AT THE TIME OF THE TRIPOLI SUMMIT. TWO COUNTRIES (TUNISIA, NIGER) TOLD US THAT THEIR PROTEST WAS PRIMARILY FOR THIS MEETING AND THEY DID NOT THINK THAT IT WOULD AFFECT THEIR ATTENDANCE AT FUTURE MEETINGS . MUCH HOWEVER, WILL DEPEND ON THE PRESSURE THE MOROCCANS CAN BRING TO BEAR

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ON ALL THOSE WHO WALKED OUT IN THE INTERVENING PERIOD. WHILE IT IS UNLIKELY THAT ANY, INCLUDING MOROCCO, WILL ACTUALLY LEAVE THE OAU, SOME MAY AT LEAST TEMPORARILY SUSPEND MEMBERSHIP.

13. AT THE END OF THE MEETING WHILE MOST DELEGATIONS FELT ''SOME SOLUTION'' WOULD BE FOUND, ALTHOUGH NONE HAD ANY CLEAR IDEA WHAT THAT WILL BE. THERE HAS BEEN A SUGGESTION THAT AN EXTRAORDINARY MEETING OF HEADS OF STATE WILL BE HELD BUT THIS WILL BE DIFFICULT AS THE RASD WILL HAVE TO ATTEND. THERE HAS ALSO BEEN SOME SUGGESTION THAT THE SECRETARY-GENERAL MIGHT HAVE TO REVERSE HIS DECISION, BUT THIS SEEMS UNLIKELY AS THE RASD HAS BOTH BEEN FORMALLY ADVISED OF ITS ADMISSION AND WELCOMED BY THE CHAIRMAN AS THE 51ST STATE. ONE HOPEFUL SIGN FOR THE PRO-RASD LOBBY IS THAT GUINEA, WHICH IS MOROCCO'S STRONGEST SUPPORTER, IS TO HOST THE 20TH ANNIVERSARY SUMMIT ON THE OAU IN CONKARY IN 1983 AND WILL WISH TO ENSURE THAT THE MEETING TAKES PLACE.

14. CONFUSION NOW REIGNS AS TO HOW THIS WILL AFFECT THE ONGOING WORK OF THE OAU NOT LEAST BECAUSE THE RASD IS LIKELY TO BEGIN APPLYING TO JOIN OAU COMMITTEES. THE MOST IMPORTANT HOWEVER WILL BE THE EFFECT ON THE IC. WHILE THE CHAIRMAN MOI ANNOUNCED ON 5 MARCH THAT HE IS ''NEUTRAL'' ON THE ISSUE AND INTENDS TO CARRY ON WITH THE RESPONSIBILITIES ACCORDED TO HIM BY THE NAIROBI MEETING OF THE IC,TO CONDUCT SEPARATE NEGOTIATIONS WITH MOROCCO AND POLISARO'', FOR A CEASEFIRE DATE, IT WILL BE UP TO MOROCCO AS TO WHETHER IT IS WILLING TO COOPERATE FURTHER WITH THE OAU IT MAY DECIDE THAT THE DECISION PRE-EMPTS THE RESULTS OF ANY ELECTIONS IN THE WESTERN SAHARA AND THAT THE COMMITTEE HAS NO FURTHER MANDATE.

15. THERE WAS SOME SUGGESTION DURING THE MEETING, ESPECIALLY FROM MOROCCO THAT LIBYA WAS BEHIND THE SECRETARY-GENERAL'S MOVE. IF SO, IT MAY HAVE BEEN A SEVERE MISCALCULATION BY THE LIBYANS. THEY ARE NOW VERY CONCERNED ABOUT THE FATE OF THE TRIPOLI SUMMIT. WE WERE TOLD BY THE HEAD OF THE LIBYAN DELEGATION THAT HE WAS NO LONGER ''COMPLETELY CERTAIN'' THAT THE TRIPOLI SUMMIT WOULD TAKE PLACE. THERE IS NOW LIKELY TO BE GREAT LIBYAN PRESSURE AND SOME BLANDISHMENTS OFFERED TO THOSE 19 COUNTRIES WHO WITHDREW TO ATTEND THE TRIPOLI SUMMIT.

16. AN INTERESTING ASPECT OF THE MEETING WAS THE BEHAVIOU OF TWO KEY COUNTRIES EGYPT AND NIGERIA. EGYPT , SURPRISING MANY, DID NOT WALK OUT AND TOOK A VERY LOW PROFILE ON THE ISSUE. ITS INTERVENTION AT THE END OF THE FINAL SESSION WAS ''WISHY-WASHY'' AND LITTLE MORE THAN A FAINT DEMONSTRATION OF SUPPORT FOR MOROCCO. WE WERE TOLD BY AN EGYPTIAN DELEGATE THAT THIS WAS A REFLECTION OF EGYPT'S NEW NON-ALIGNED'' STANCE IN FOREIGN POLICY AND A BREAK FROM THE SADAT PAST. NIGERIA ALSO, WHILE ANGRY AT THE SECRETARY-GENERAL'S DECISION, TOOK THE VIEW THAT AFRICAS UNITY WAS MORE IMPORTANT.

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UNDER PRESSURE FROM MOROCCO TO WITHDRAW AND CONSCIOUS OF THE EFFECT THEIR ACTION WAS LIKELY TO HAVE ON OTHERS, NIGERIA MADE A MAJOR STATEMENT AT THE END IN WHICH IT STRESSED THE UNITY THEME (COPY BY BAG).

17. FINALLY WHILE THERE WAS MUCH SPECULATION ABOUT WHAT PROMPTED KODJO'S DECISION, WE UNDERSTAND THAT A MAJOR FACTOR WAS HIS FORTHCOMING BID FOR RE-ELECTION IN TRIPOLI. KODJO CLEARLY JUDGED THAT HIS DECISION WOULD HAVE BROUGHT ON SIDE AT LEAST THE 26 COUNTRIES WHO RECOGNISED THE RASD. THAT NOW SEEMS TO HAVE BEEN A NAIVE HOPE AS THE EFFECTS ON THE OAU OF HIS DECISION HAVE FOR MANY COUNTRIES, CALLED HIS JUDGEMENT INTO QUESTION. OTHER CANDIDATES (WE UNDERSTAND THAT CONTEH, SIERARA LEONE AND A CANDIDATE FROM BENIN ARE LIKELY TO STAND) WOULD NOW SEEM TO HAVE A BETTER CHANCE AT THE POSITION.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
FOREIGN MINISTER
MIN DEFENCE
DEP DEFENCE
DEP P M AND CABINET
JIO

ACTION: AME
JCAA

SEC
DEPSEC-A
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DEPSEC-C
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MOSCOW
PEKING

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
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TOR 00.12 09.03.82

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TO.
RR CANBERRA/4256

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RR UN NEW YORK/206 WASHINGTON/77 PARIS EMB/929
RR NAIROBI/41 CAIRO/116 LAGOS/36
RR LONDON/405

FM. ALGIERS / FILE 910/3

U N C L A S S I F I E D

WESTERN SAHARA : UNITED NATIONS

FOLLOWING IS A SUMMARY TRANSLATION OF A MESSAGE ADDRESSED TO THE SECRETARY-GENERAL OF THE UNITED NATIONS BY THE SECRETARY-GENERAL OF THE POLISARIO FRONT (MR MOHAMMED ABDELAZIZ) AS REPORTED IN THE ALGERIAN SEMI-OFFICIAL DAILY, EL MOUDJAHID, 3 MARCH:

BEGINS
AT THIS CRUCIAL TIME IN THE FIGHT BY OUR PEOPLE WHO ARE AT AN ADVANCED STAGE IN ACHIEVING THEIR SOVEREIGNTY AND TAKING INTO ACCOUNT THEIR CEASELESS ACTION WE REITERATE WITH THE UN, THE RIGHT OF AUTO-DETERMINATION AND INDEPENDENCE. I HAVE THE HONOUR TO BRING TO YOUR ATTENTION THE ADMISSION OF THE SAHARAN DEMOCRATIC ARAB REPUBLIC AS A FULL MEMBER OF THE ORGANISATION FOR AFRICAN UNITY.

THE ADDIS ABABA COUNCIL OF MINISTERS' DECISION WAS IN CONFORMITY WITH ARTICLE 28 OF THE OAU CHARTER. IT IS IN HARMONY WITH INTERNATIONAL LAW. IT ALSO REFLECTS THE WILL OF AFRICA AND OF THE INTERNATIONAL COMMUNITY TO END THE PROCESS OF COLONISATION OF THE WESTERN SAHARA.

INCONTESTABLY, THE ADMISSION OF THE SDAR IS A MANIFEST EXPRESSION OF A UNIVERSAL PRINCIPLE DEMOCRATICALLY STATED BY THE UN AND THE OAU : THE RIGHT OF SELF-DETERMINATION BY PEOPLES. WITHOUT DOUBT, THE CLEARLY STATED POSITION OF THE UN CONTRIBUTED TO THE OAU DECISION WHICH WAS AN APPROPRIATE RESPONSE TO THOSE AGAINST PEACE AND JUSTICE. THE ADMISSION OF THE SDAR TO THE OAU IS NOT ONLY A GAIN BY THE SAHARAN PEOPLE BUT ONE FOR ALL OPPOSED TO THE FORCES OF WAR AND OPPRESSION. THE SHADOW OF AN AMBIGUITY WILL NOT BE TOLERATED ANY MORE.

THE BELIGERENTS ARE CLEARLY DEFINED : THE SDAR AND THE KINGDOM OF MOROCCO.

THE LATTER CANNOT NOW CONTEST THE UNIQUE VOICE WHICH WAS AND IS THE SDAR. WITH THE FORCE OF AFRICAN AND INTERNATIONAL LEGALITY THE GOVERNMENT OF THE SDAR MAKES A SOLEMN AND URGENT CALL ON THE MOROCCAN

.../2

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.AL5646

GOVERNMENT TO IMMEDIATELY OPEN NEGOTIATIONS FOR A PEACE AGREEMENT. NEGOTIATIONS ARE THE ONLY WAY TO PEACABLY SETTLE CONFLICTS BETWEEN STATES. BY THIS MEANS THE POLISARIO FRONT AND MAURITANIA WILL END THE WAR.

THE SDAR IS ATTACHED MORE THAN EVER TO ITS VOCATION FOR PEACE, EQUILIBRIUM AND STABILITY IN NORTH-WEST AFRICA. IT STRESSES ITS WILLINGNESS TO WORK WITH THE INTERNATIONAL COMMUNITY FOR THE RESOTRATION OF PEACE BASED ON THE RIGHTS OF THE SAHARAN PEOPLE.

* THE GOVERNMENT OF THE SDAR EXPRESSES ITS PROFOUND ANXIETY AT AMERICAN INTERVENTION ALONGSIDE MOROCCO AGAINST A MEMBER OF THE OAU. THIS INTERVENTION WHICH IS MANIFESTED BY THE WANDERINGS OF AMERICAN MILITARY AND POLITICAL DELEGATIONS IN MOROCCO ELEVATES THE PRESENT SITUATION TO EXTREME PROPORTIONS AND THREATENS PEACE AND INTERNATIONAL SECURITY.

THE UN HAS A POLITICAL AND MORAL RESPONSIBILITY TO TAKE MEASURES AGAINST THE REAL DANGERS FROM THIS INTERVENTION.

WE HAVE CONFIDENCE IN THE UNITED NATIONS FOR A SOLUTION TO BE NEGOTIATED BETWEEN THE SDAR AND THE KINGDOM OF MOROCCO. ENDS

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
JIO

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
SPEC. ADVISER TO P.M

ACTION: IO
AME

OGBAACA
JBAM

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) ANZ CN FAS(DN) DEF DPR
FAS(IOAME) FAS(ECO) EO ER OEE
FAS(LT) IL FAS(MFS) FAREP-M FAREP-P
FAREP-S DIR-ADAB

AMMAN BAGHDAD BEIRUT BONN BRUSSELS DAMASCUS GENEVA JEDDAH
MOSCOW TEHRAN TEL AVIV

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

935/28/2

CONFIDENTIAL

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

O.UN23315 CWCH
TOR 07.17 09.03.82

O.UN23315 1500 8.3.82 CLA

TO.
PP CANBERRA/2294

RP.
PP NAIROBI/536 WASHINGTON/6142 LONDON/2249
PP CAIRO/623 PARIS EMB/1218
BB ACCRA/58 ALGIERS/104 LUSAKA/002
BB SALISBURY/02 LAGOS/72 DAR ES SALAAM/105

FM. UN NEW YORK /

C O N F I D E N T I A L

OAU: ADMISSION OF RASD: TUNISIAN VIEWS

SUMMARY

TUNISIA FINALLY JOINED THE GROUP OF COUNTRIES PROTESTING AGAINST THE ADMISSION OF THE RASD TO THE OAU ON THE GROUNDS THAT THE MATTER WAS ALREADY BEING DEALT WITH BY THE HEADS OF STATE. IN TUNISIA'S VIEW THE PRESENT SITUATION PLACED THE HOLDING OF THE OAU SUMMIT SCHEDULED FOR TRIPOLI IN JEOPARDY AND POSED A THREAT TO THE FUTURE OF THE ORGANISATION.

2. IN SEPARATE DISCUSSIONS AMMAR (HEAD, ASIAN DIVISION) AND HAMMANI (AFRICAN DIVISION, MFA) TOLD ME THAT TUNISIA HAD SIGNED THE LETTER WITH EIGHTEEN OTHER AFRICAN COUNTRIES PROTESTING AGAINST THE ADMISSION OF THE RASD TO THE OAU SINCE, IN ITS VIEW, IT WAS BEYOND THE COMPETENCE OF THE COUNCIL OF FOREIGN MINISTERS TO TAKE A POSITION ON AN ISSUE ALREADY BEING DEALT WITH AT THE LEVEL OF HEADS OF STATE. IN THE TUNISIAN VIEW THE DECISION AT THE FREETOWN SUMMIT (1980) TO ADJOURN A DECISION ON THE RASD'S ADMISSION, NOTWITHSTANDING THAT IT WAS RECOGNISED BY A MAJORITY OF OAU MEMBERS, REMAINED OPERATIVE. THE ISSUE HAS SUCCESSIVELY BEEN REFERRED (AT FREETOWN) TO THE COMMITTEE OF ''WISE MEN'' AND (AT NAIROBI) TO THE IMPLEMENTATION COMMITTEE. IT HAD BEEN OUT OF ORDER FOR THE ADDIS ABABA MEETING TO TAKE ACTION ON THE RASD ISSUE WHILE IT WAS BEING ACTIVELY DEALT WITH BY THE IMPLEMENTATION COMMITTEE AT THE LEVEL OF HEADS OF STATE.

3. IN ANSWER TO OUR QUESTION, HAMMANI SAID THAT TUNISIA TOOK NO POSITION ON THE ISSUE OF WHETHER THERE SHOULD BE DIRECT NEGOTIATIONS BETWEEN MOROCCO AND THE RASD. TUNISIA TOOK NOTE OF THE DIVERGENT MOROCCAN AND ALGERIAN VIEWS ON WHO WERE THE PARTIES TO THE CONFLICT. IT TOOK THE POSITION THAT THE OAU'S PROPOSALS ON A CEASEFIRE AND REFERENDUM SHOULD BE SUPPORTED WITHOUT NECESSARILY ADDRESSING ALL THE

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

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OTHER ISSUES RAISED BY THE PARTIES CONCERNED. IT WAS PREMATURE TO ADMIT THE RASD TO MEMBERSHIP OF THE OAU WHEN THE ISSUE TO BE DECIDED BY THE REFERENDUM WAS PRECISELY WHETHER OR NOT THE POPULATION WANTED THE WESTERN SAHARA TO BE A SEPARATE ENTITY. 4. BOTH OFFICIALS AGREED THAT THE PRESENT SITUATION POSED A SERIOUS THREAT TO THE OAU. IT WAS ALSO A SETBACK TO TUNISIA'S EFFORTS TO PROMOTE GREATER COHESION AMONG THE COUNTRIES OF THE MAGHREB. PARADOXICALLY THE HANDLING OF AN ISSUE WHICH HAD EARLIER HELPED LIBYA TO SECURE TRIPOLI AS THE SITE FOR THE SUMMIT NOW RISKED PLACING THE SUMMIT AND THE ORGANISATION ITSELF IN JEOPARDY. THE OFFICIALS EXPECTED THAT THERE WOULD NEED TO BE A PERIOD FOR PRIVATE CONTACTS IN AN EFFORT TO FIND A SOLUTION. THEY HAD LITTLE ENTHUSIASM FOR SEEING THE COUNTRIES OF AFRICA REVERT TO THE TWO GROUPS - THE SO-CALLED MODERATE CASABLANCA GROUP AND THE SO-CALLED PROGRESSIVE MONROVIA GROUP - WHICH HAD PRECEEDED THE FORMATION OF THE OAU.

5. THE FOREIGN MINISTRY HAS BEEN UNDER SOME PUBLIC CRITICISM FOR VACILLATION IN TAKING A POSITION ON THE RASD ISSUE. TUNISIA FIRST WALKED OUT THEN REJOINED BEFORE FINALLY LEAVING THE ADDIS ABABA MEETING. BUT ITS FINAL POSITION SHOWED CONSIDERABLE INDFQKK@GLUUSZIUYSDL@EAST HAVING REGARD TO THE THEN CURRENT VISIT OF COLONEL QUADDAFI TO TUNIS. AMMAR SAID THAT TUNISIA'S FINAL POSITION HAD BEEN THE SUBJECT OF AN ALGERIAN PROTEST.

....MCKEOWN

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JCAA

SEC
LA
FAS(EANZ)
DPR
FAS(MFS)

DEPSEC-A
EX
EUR
FAS(IOAME)
FAREP-M

DEPSEC-B
PA
CN
IO
FAREP-P

DEPSEC-C
FAS(SEP)
FAS(DN)
FAS(ECO)
FAREP-S

PPU
FAS(NSA)
NUC
FAS(LT)

DEF

MOSCOW PEKING PRETORIA

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
IN

93/28/2

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

O.LG9388 RHOW
TOR 20.33 04.03.82

O.LG9388 0900 4.3.82 UNC

TO.
RR CANBERRA/8107

RP.
RR ALGIERS/77 DAR ES SALAAM/380 LONDON/1278
RR NAIROBI/956 PARIS EMB/248 UN NEW YORK/252
RR WASHINGTON/264 CAIRO/70
BB ACCRA/134 MOSCOW/04 SALISBURY/47

FM. LAGOS / FILE 242/45 REF O.LG9364

U N C L A S S I F I E D

WESTERN SAHARA : OAU

THE PRO-GOVERNMENT DAILY ''NEW NIGERIAN'' HAS REPORTED THAT EXTERNAL AFFAIRS MINISTER AUDU TOLD ITS CORRESPONDENT ON 2 MARCH THAT NIGERIA DID NOT AGREE WITH THE MANNER IN WHICH THE SADR HAD BEEN ADMITTED INTO LAST WEEK'S OAU MINISTERIAL COUNCIL MEETING. AUDU SAID THAT THE RECEPTION OF SADR AND ITS ADMISSION INTO THE OAU WAS NOT A MATTER FOR THE OAU MINISTERIAL COUNCIL AND THAT SUCH AN ADMISSION WHICH THE OAU SECRETARIAT HAD TRIED TO FORCE ON MEMBER STATES DID NOT AUGUR WELL FOR PEACE IN WESTERN SAHARA. HE ADDED THAT WHILE NIGERIA WAS UNFLINCHING IN ITS FINANCIAL, MORAL AND MATERIAL SUPPORT FOR ALL LIBERATION MOVEMENTS IT BELIEVED THAT THE QUESTION OF INDEPENDENCE FOR WESTERN SAHARA SHOULD BE RESOLVED BY THE OAU IMPLEMENT- ATION COMMITTEE TO WHICH THE MINISTERIAL COUNCIL MIGHT, IF IT WISHED, REFER RECOMMENDATIONS.

2. THE NIGERIAN DELEGATION TO THE MINISTERIAL COUNCIL MEETING WAS LED BY THE FORMER MINISTER OF STATE IN THE MEA, ALHAJI ALI BABA. AT THE TIME AUDU WAS IN LAGOS RECEIVING THE VISITING ROK FOREIGN MINISTER (O.LG9380). THERE HAS BEEN NO SUGGESTION IN PRESS REPORTS HERE THAT NIGERIA JOINED THOSE COUNTRIES WHICH BOYCOTTED THE MEETING OVER THE ADMISSION OF THE SADR DELEGATION, ALTHOUGH WE UNDERSTAND THAT ITS DELEGATION WAS NOT HAPPY WITH THE DECISION.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

935/28/2.

CONFIDENTIAL

CABLE ADDRESS
AUSTUNAT, NEW YORK

TELEPHONE
212-421-6910

AUSTRALIAN MISSION TO THE UNITED NATIONS
885 SECOND AVENUE
NEW YORK, N.Y. 10017

25 February 1982

Dear Ian,

Your advice in the attached exchange of telegrams was disappointing - although it is no doubt now all water under the bridge.

We recognise, of course, the reasons why Australia has supported the Algerian sponsored resolutions on Western Sahara in the past. They are incidentally not so pure as O.CH018048 would allow. We originally decided to back the Algerians in a situation where the Algerians had assisted us in 1979 in having Australia removed from the list of offending countries in the foreign economic interest item. This arrangement of mutual convenience meant, however, that Australia bought gratuitously into a problem which is frankly none of our business. I would indeed question whether Australia should be addressing the substantive issues involved in the Western Sahara dispute at all. A far more sober approach would be simply to recognise that there was a dispute between two distant countries and that the appropriate posture for Australia is not to take a position between them. That essentially is the approach adopted by the large majority of other WEOG countries and there seems no good reason why Australia does not follow suit. As noted in our telegram, for largely fortuitous reasons (essentially that the OAU became seized of the matter) Australia at UNGA 36 was able credibly to retreat to a more neutral and thus more comfortable position. The advice conveyed to Geneva means that we have now again put ourselves out in front of the pack, and for what reason? It would do for the Department to re-read its O.CH853641 and the valid apprehensions expressed therein.

he said this about East Timor in '75.

Telegram O.CH018048 notes that we traditionally offer strong support for the general principle of self-determination. But there are other important fish to fry. I should have thought that equally important to any support for the principle of self-determination would be our interests in maximising the vote on the Kampuchea and Afghanistan issues. There Morocco supports us and Algeria doesn't. Indeed it is probably true that on many of the controversial political issues which come before the United Nations, Australia would find itself on the same side of the fence as Morocco but not Algeria. Yet we repay Morocco's moderation by - I again use the word - gratuitously taking what they can only interpret as an anti-Moroccan stance on a matter of keen interest to them.

all the more reason to try to get Alg. on side.

.../

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More generally Australia has an interest in trying to promote in the Non-Aligned group trends favouring moderation and discouraging radicalism. We do not serve that purpose by backing the Algerians against the Moroccans.

I might add in regard to self-determination that too principled a stance could come back to haunt us. It is not only in East Timor where political realities have forced us to accept the fait accompli which the Indonesians have accomplished there. It is not all that certain that there could not be future difficulties in regard to international acceptance of Brunei's self-determination. In general a less vocal profile might sometimes suit our interests well.

Yours

(Lance Joseph)

Mr Ian James,
International Organisations Branch,
Department of Foreign Affairs,
CANBERRA.

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CHUN219

O.CH018048 1746 25.2.82 CLA FIRST

RESTRICTED

TO.
PP GENEVA/3374

RP. 25 FEB 82 13 08
RR UN NEW YORK/7884 ALGIERS/8221 PARIS EMB/993
RR NAIROBI/323
BB LONDON/6079 WASHINGTON/5779 MOSCOW/5584
BB ACCRA/5170 LAGOS/5482

FM. CANBERRA / FILE 929/34/9 REF O.GE56619 O.UN23237

R E S T R I C T E D

CHR 38 : ITEM 9 - SELF-DETERMINATION, WESTERN SAHARA

WE REGRET THAT INSTRUCTIONS PREPARED FOR DESPATCH ON 24 FEBRUARY WERE NOT/NOT RECEIVED BY YOU DUE TO A TECHNICAL FAULT.

2. WE ARE NOT IMPRESSED WITH THE LIST OF AFRICAN CO-SPONSORS, NOTWITHSTANDING THE COMMENTS IN PARA. 2 OF GENEVA'S REFTEL. WE ARE ALSO SOMEWHAT DISTURBED BY THE POTENTIAL FOR THIS ISSUE TO SPLIT THE OAU, FOLLOWING THE WALK-OUT IN ADDIS ABABA. WE HAVE ALWAYS HOPED THAT THIS ISSUE COULD BE RESOLVED BY CONSENSUS, AND YOU SHOULD MAKE THIS POINT TO THE ALGERIANS.

2. HOWEVER, WE ARE NOT SUFFICIENTLY SWAYED BY THE ARGUMENTS IN NEW YORK'S REFTEL TO REVISE OUR INITIAL INCLINATION (O.CH16436) TO SUPPORT THE ALGERIAN DRAFT AT CHR, DESPITE THE ALGERIANS' REGRETTABLE (THOUGH IN SOME WAYS UNDERSTANDABLE) UNWILLINGNESS NOW TO MODIFY ITS DRAFT TO MEET OUR CONCERNS.

4. OUR TRADITIONAL SUPPORT FOR THE ALGERIAN-SPONSORED RESOLUTIONS ON WESTERN SAHARA IS BASED ON OUR STRONG SUPPORT FOR THE GENERAL PRINCIPLE OF SELF-DETERMINATION. AS POINTED OUT IN OUR REFTEL, IT WAS LARGELY FOR SPECIFIC TACTICAL REASONS THAT WE ABSTAINED ON THE ALGERIAN DRAFT AT UNGA 36. THESE FACTORS DO NOT APPLY AT CHR.

5. WE WOULD THEREFORE WISH TO SUPPORT THE ALGERIAN DRAFT AT CHR.

XC. O.CH018048 1746 25.2.82
3374 7884 8221 993 323 6079 5779 5584 5170 5482
929/34/9 O.GE56619 O.UN23237

CM.

NNNN

[redacted]5

O.UN23237 1645 24.2.82 CLA

TO.
PP CANBERRA/2219

RESTRICTED K

RP.
PP GENEVA/3653 ALGIERS/135 PARIS EMB/1205

FM. UN NEW YORK / REF O.GE56619

R E S T R I C T E D

CHR 36 - ITEM 9: SELF DETERMINATION: WESTERN SAHARA

1. ALTHOUGH THE VOTE ON THIS MATTER HAS PROBABLY BY NOW BEEN TAKEN WE SHOULD LIKE TO OFFER THE FOLLOWING COMMENT

2. WE HAVE BEEN STRUCK BY ALGERIA'S INFLEXIBILITY ON THIS ISSUE IN GENEVA AS HERE IN NEW YORK DURING UNGA 36 THEY HAVE THE NUMBERS AND DO NOT SEEM MUCH CONCERNED IN BENDING TO ATTRACT ADDITIONAL WESTERN SUPPORT. ALSO, WE WOULD BE INCLINED TO WEIGH ALGERIA'S SUPPORT FOR THE DRAFT RESOLUTION ON GOVERNMENT BY CONSENT. AGAINST MOROCCO'S SUPPORT FOR - AND ALGERIA'S OPPOSITION TO - RESOLUTIONS ON SUCH MATTERS AS KAMPUCHEA AND AFGHANISTAN.

3. WE RECOGNISE OF COURSE THAT THERE WILL BE CONSIDERATIONS SUCH AS VOTING COMPANY AT GENEVA OF WHICH WE ARE NOT FULLY AWARE BUT ALSO CONSIDER THAT THE WHOLE WESTERN SAHARA QUESTION HAS BECOME LESS RATHER THAN MORE CLEAR AS A RESULT OF THE RECENT DEVELOPMENTS IN THE OAU COUNCIL OF MINISTERS.

4. THE FACT OF THE MATTER IS THAT FOR ADMITTEDLY FORTUITOUS REASONS AUSTRALIA AT UNGA 36 WAS ABLE CREDIBLY TO RETREAT TO A MORE NEUTRAL AND COMFORTABLE POSITION ON THIS ISSUE AND THUS TO JOIN THE RESPECTABLE COMPANY OF THE LARGE MAJORITY OF WEOG STATES. A VOTE NOW IN FAVOUR OF THE ALGERIAN DRAFT WOULD AGAIN PUT US BACK IN THE ALGERIAN CAMP WITH LITTLE VISIBLE GAIN FOR AUSTRALIA'S POLITICAL INTERESTS.

XC. O.UN23237 1645 24.2.82 2219 3653 135 1205 O.GE56619

CM.

NNNN

PPC UNNYDVXX
CHCHDVXX CON
O.CH853641 1729 26.10.79 CLA

PRIORITY

TO:
[redacted] NEW YORK/9880

RP.
RR WASHINGTON/548 ALGIERS/6823 PARIS EMB/7843

FM. CANBERRA / FILE 935/28/2 REF O.UN15648

[redacted]

26 OCT 1979
RECEIVED

F 103/3/4
613/11

C O N F I D E N T I A L

UNGA 34: FOURTH COMMITTEE: ITEM 18 - WESTERN SAHARA

APART FROM THE DESCRIPTION OF POLISARIO IN OPERATIVE PARA. 7, THE ALGERIAN TEXT THIS YEAR IS CONSIDERABLY STRONGER THAN AT UNGA 33. YOU WILL NOTE IN PARTICULAR THAT MOROCCO IS NAMED IN OPERATIVE PARA. 5, AND ITS ACTIONS ''DEEPLY DEPLORED''. THIS IS THE FIRST TIME THAT MOROCCO HAS BEEN ADVERSELY NAMED IN ALGERIAN TEXTS ON THIS QUESTION.

2. BECAUSE OF THIS LANGUAGE, AND ESPECIALLY IF THERE IS NO MOROCCAN DRAFT ON WHICH WE CAN BALANCE OUR POSITION, WE WILL NEED TO WATCH VERY CAREFULLY THE VOTING INTENTIONS OF OTHER WEOGS SUCH AS THE NINE, NORDICS, AUSTRIA, CANADA, U.S.A. AND NEW ZEALAND.

3. WE DO NOT WISH TO BE DRAWN INTO NEGOTIATION WITH ALGERIA FOR SEVERAL REASONS:

(I) WE MIGHT BE PUT IN THE AWKWARD POSITION OF NOT BEING ABLE TO VOTE IN FAVOUR DESPITE SOME OF OUR PROPOSED CHANGES BEING ACCEPTED.

(II) AUSTRALIA IS FAR REMOVED FROM THE WESTERN SAHARA AND WE DO NOT WANT TO BECOME IDENTIFIED AS A NEGOTIATOR ON WESTERN SAHARAN TEXTS.

(III) THERE COULD BE PARALLELS DRAWN WITH EAST TIMOR, IN SOME QUARTERS.

(IV) YOU SHOULD NOTE THAT OUR CONSIDERATION OF THIS ITEM NEEDS TO TAKE INTO ACCOUNT THE FACT THAT WESTERN SAHARA IS ALSO ON THE LIST OF THE CHR AND ANY NEGOTIATING POSITION THAT WE ADOPT AT UNGA MAY HAVE IMPLICATIONS FOR OUR POSITION IN THE CHR.

4. FOR YOUR INFORMATION, AND YOU COULD MAKE SOME DISCREET USE OF IT CONSISTENT WITH NOT BEING DRAWN INTO MAJOR TEXTUAL NEGOTIATIONS, THE FOLLOWING ARE CHANGES WHICH WE WOULD LIKE TO SEE IN THE ALGERIAN DRAFT:

(A) OPERATIVE PARA.1 - DELETE (OR MODIFY) ''LEGITIMACY OF ITS STRUGGLE''#
(B) OPERATIVE PARA. 5 - DELETE THE SPECIFIC REFERENCE TO MOROCCO AND MODIFY THE TERMINOLOGY ''DEEPLY DEPLORES''#
(C) OPERATIVE PARA. 6 - PREFERABLY REPLACE ''INSISTS'' WITH ''STRONGLY URGES'' OR SOME SUCH FORMULATION:
(D) OPERATIVE PARA. 7 - DELETE THE DESCRIPTION OF POLISARIO AS ''SOLE AND LEGITIMATE''.

XC. O.CH853641 1729 26.10.79
9880 548 6823 7843

9351/28/2

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

O.LG9364 JAMC
TOR 00.45 26.02.82

O.LG9364 1430 25.2.82 UNC

TO.
RR CANBERRA/8084

RP.
RR ALGIERS/76 DAR ES SALAAM/376 LONDON/1274
RR NAIROBI/949 PARIS EMB/245 UN NEW YORK/249
RR WASHINGTON/262 CAIRO/69
BB ACCRA/131 MOSCOW/03 SALISBURY/46

FM. LAGOS / FILE 242/45 REF O.CH15522 O.NA15198

U N C L A S S I F I E D

WESTERN SAHARA : OAU IMPLEMENTATION COMMITTEE

SUMMARY: (UNDERLINED) THE NIGERIAN GOVERNMENT IS UNDER MEDIA PRESSURE TO ADOPT A FIRMER STANCE TOWARDS MOROCCO OVER WESTERN SAHARA, BUT HAS SO FAR MADE NO STATEMENT ON THE OUTCOME OF THE IMPLEMENTATION COMMITTEE MEETING.

2. EDITORIALS ON WESTERN SAHARA IN THE PRO-GOVERNMENT PRESS FOLLOWING THIS MONTH'S IMPLEMENTATION COMMITTEE MEETING IN NAIROBI WERE ALL CRITICAL OF MOROCCO'S STANCE. THE ''NEW NIGERIAN'' CONDEMNED THE ''INTRANSIGENCE'' DISPLAYED BY MOROCCO IN REFUSING TO NEGOTIATE DIRECTLY WITH POLISARIO AND DEPLORED THE ''UNPARALLELED INEPTITUDE'' OF THE OAU IN FAILING TO CALL MOROCCO'S BLUFF. IT URGED THE OAU TO RECOGNISE AND ADMIT SADR AND ALSO CALLED ON NIGERIA TO ACCORD IT RECOGNITION. THE ''DAILY TIMES'' DESCRIBED MOROCCO'S ATTITUDE TOWARDS THE IMPLEMENTATION OF THE OAU PROPOSALS AS ONE OF ''GLARING UNWILLINGNESS''. IT ALSO SUSPECTED THE REAGAN ADMINISTRATION OF INSTIGATING THE ATTEMPT MILITARILY TO SUBDUE POLISARIO. THE ''NATIONAL CONCORD'' DEPLORED MOROCCO'S ''ARROGANCE'' AND ''DEFIANCE'' TOWARDS THE SELF DETERMINATION PROPOSALS FOR THE TERRITORY. IT CALLED ON THE TRIPOLI SUMMIT TO ADMIT SADR TO OAU MEMBERSHIP.

3. ALTHOUGH OFFICIAL PRESS RELEASES REPORTED ON THE COURSE OF THE NAIROBI MEETING, NO GOVERNMENT COMMENTARY WAS FORTHCOMING. THIS IS IN CONTRAST TO THE DETAILED STATEMENT BY EXTERNAL AFFAIRS MINISTER AUDU FOLLOWING THE IMPLEMENTATION COMMITTEE'S PREVIOUS MEETING IN AUGUST 1981 (PARA 2 M.LG3074).

4. THE RESULTS OF THE LATEST MEETING WOULD BE LESS SATISFACTORY FROM NIGERIA'S POINT OF VIEW AND MAY EXPLAIN THE ABSENCE OF ANY OFFICIAL COMMENTARY ON THIS OCCASION. HOWEVER, AS THE ABOVEMENTIONED EDITORIALS INDICATE, THE GOVERNMENT IS UNDER CONSIDERABLE MEDIA PRESSURE TO ADOPT A FIRMER STANCE TOWARDS MOROCCO. THIS MAY HAVE BEEN WHY NIGERIA APPARENTLY WENT ALONG WITH THE DECISION TO ADMIT

.../2

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.LG9364

THE SADR DELEGATION TO THE CURRENT OAU MINISTERIAL COUNCIL MEETING.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
JAPAN SECRETARIAT

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: IO
AME

JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) EUR CN FAS(DN) DEF DPR
FAS(IOAME) FAS(ECO) FAS(LT) FAS(MFS)
FAREP-M FAREP-P FAREP-S

LUSAKA PEKING PRETORIA

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

9357282

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

O.GE56679 WJKI
TOR 08.11 26.02.82

O.GE56679 2045 25.2.82 UNC

TO.
PP CANBERRA/254

RP.
RR UN NEW YORK/3736 WASHINGTON/3565 ALGIERS/127
RR PARIS EMB/2120

FM. GENEVA / FILE 250/2/1/7

U N C L A S S I F I E D

CHR 38 : ITEMS 6,7,16,18 AND 9 : VOTING

FOLLOWING ARE THE RESULTS OF VOTING ON 25 FEBRUARY ON DRAFT RESOLUTIONS UNDER ITEMS 6 , 7, 16, 18 AND 9. VOTING ON THE DRAFTS ON AFGHANISTAN (L.16) AND KAMPUCHEA (L.2) HAS BEEN REPORTED SEPARATELY.

L.8 - AD HOC WORKING GROUP ON SOUTHERN AFRICA

SEPARATE VOTE ON OP3 : 32(GREECE) - 9 - 11(WEOG, JAPAN)
AS A WHOLE : 42 - 0 - 1(UNITED STATES)

THE PROPOSED AMENDMENT TO OP5 (O.GE56515 REFERS) DID NOT EVENTUATE.

L.9 - AD HOC WORKING GROUP - NAMIBIA
37 - 0 - 6 (CANADA, FRANCE, FRG, JAPAN, UNITED KINGDOM, UNITED STATES)

JAPAN LATER STATED THAT IT WISHED TO BE RECORDED AS VOTING IN FAVOUR.

L.13 - APARTHEID CONVENTION

32 - 0 - 11 (WEOG, JAPAN)

L.22 - SECOND RACISM CONFERENCE (ITEM 18)

34 (GREECE) - 0 - 8(WEOG), THE UNITED STATES DID NOT PARTICIPATE.

L.23 - ADVERSE CONSEQUENCES (ITEM 7)

32 - 4(FRANCE, FRG, UK, UNITED STATES) - 7 (WEOG, JAPAN)

L.18 - WESTERN SAHARA (ITEM 9)

27(AUSTRALIA GREECE) - 3 (SENEGAL, UNITED STATES, ZAIRE) - 13 (WEOG, CHINA, JAPAN, JORDAN, PAKISTAN, PHILIPPINES,

.../2

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.GE56679

URUGUAY)

L.20 - SELF-DETERMINATION - AFRICAN DRAFT (ITEM 9)

32 - 8(WEOG) - 3(GREECE, JAPAN, NETHERLANDS).

2. CONSIDERATION OF L.21 ON GOVERNANCE BY CONSENT (ITEM 9) WAS DEFERRED. DEVELOPMENTS ARE BEING REPORTED SEPARATELY.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER FOREIGN MINISTER DEP ATTORNEY GENERAL
DEP P M AND CABINET

ACTION: IO OGAC

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) CN FAS(DN) DEF DPR
FAS(IOAME) AME FAS(CIC) ICR RIA
FAS(ECO) EO FAS(LT) GLT FAREP-M
FAREP-P FAREP-S DIR-ADAB FAS(BP)
FAS(PTO) PDC IOL

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

93/728

RESTRICTED

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

O.LH27365 CABE
TOR 06.44 26.02.82

O.LH27365 1911 25.2.82 CLA

TO.
PP CANBERRA/4080 GENEVA/2641

RP.
RR UN NEW YORK/1955 WASHINGTON/6099 PARIS EMB/5235
RR ALGIERS/361 MOSCOW/2131

FM. LONDON /

R E S T R I C T E D

WESTERN SAHARA: POLISARIO

MR LAMINE OF THE POLISARIO OFFICE IN LONDON CALLED AT THE HIGH COMMISSION 24 FEBRUARY TO HAND OVER A COPY OF THE FOLLOWING COMMUNIQUE ISSUED BY THE EXECUTIVE COMMITTEE OF THE SADR AND REQUESTED THAT IT BE DRAWN TO THE ATTENTION OF THE AUSTRALIAN GOVERNMENT:

BEGINS:

SAHRAWI ARAB DEMOCRATIC REPUBLIC
MINISTRY OF INFORMATION
COMMUNIQUE BY THE EXECUTIVE COMMITTEE

THE EXECUTIVE COMMITTEE OF THE POLISARIO FRONT MET ON FEBRUARY 15TH 1982 AT HAUZA UNDER THE CHAIRMANSHIP OF THE SECRETARY GENERAL, MOHAMED ABDELAZIZ.

THE EXECUTIVE COMMITTEE CONSIDERED THE CONSEQUENCES OF AMERICAN MILITARY INTERVENTION ON THE SIDE OF MOROCCO, AS WELL AS THE FAILURE OF THE LAU IMPLEMENTATION COMMITTEE, IN THE FACE OF THE CATEGORICAL REFUSAL BY MOROCCO OF ANY NEGOTIATED POLITICAL SOLUTION BETWEEN THE TWO BELLIGERANTS.

IT IS PATENTLY EVIDENT TO THE WHOLE WORLD THAT THE ALLEGED ''INITIATIVE'' OF THE KING OF MOROCCO WAS ONLY A MANOEUVRE TO GAIN TIME.

TODAY, THE MASK HAS FALLEN. THE KING OF MOROCCO NO LONGER FEELS OBLIGED TO SIGN, EVEN FORMALLY, THE DECISIONS OF THE OAU. MASSIVE MILITARY INTERVENTION ON HIS SIDE COMFORTS HIM TOGETHER WITH THE FLAGRANT COMPLICITY OF CERTAIN MEMBERS OF THE COMMITTEE WHO HAVE TURNED UP THEIR NOSES AT THE NOBLE MISSION CONFERRED ON THEM BY THE AFRICAN HEADS OF STATE.

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IF THE DE-COLONISATION PROCESS IN THE WESTERN SAHARA ON THE BASIS OF THE RIGHT TO SELF DETERMINATION OF THE SAHRAWI PEOPLE, BEGUN BY THE UN IN 1975, HAS BEEN HINDERED BY THE FORCE OF ARMS OF THE KING OF MOROCCO, WITH THE BLESSING OF HENRY KISSINGER, TODAY THE SAME PROCESS, LED BY THE LAU AND SUPPORTED BY THE WHOLE INTERNATIONAL COMMUNITY, SUDDENLY SEES ITSELF BLOCKED BY THE KING OF MOROCCO, ENCOURAGED BY THE INTERVENTION OF THE US GOVERNMENT ON HIS SIDE.

SO, THE DECOLONISATION OF THE WESTERN SAHARA REMAINS INCOMPLETE AND IT IS URGENTLY PUT BEFORE ALL THE AFRICAN STATES WHICH MUST ASSUME THEIR RESPONSIBILITY IN THE FACE OF DILATORY TACTICS AND THE UNFORSEEABLE CONSEQUENCES OF THE UNJUST PROLONGATION OF AN UNFINISHED DE-COLONISATION.

THE PERSISTANT POLICY OF EXPANSIONISM FOLLOWED BY MOROCCO HAS JUST TAKEN ON EVEN MORE SERIOUS DIMENSIONS WHICH THREATEN NOT ONLY THE COUNTRIES IN THE REGION BUT ALSO THE WHOLE OF THE AFRICAN CONTINENT AND THE ARAB COUNTRIES.

THE KING OF MOROCCO HAS JUST CONCLUDED STRATEGIC AGREEMENTS WHICH ARE TURNING HIS COUNTRY INTO A BASE OF AGGRESSION AND DE-STABILISATION.

THE EXECUTIVE COMMITTEE LAUNCHES AN URGENT APPEAL TO INTERNATIONAL ORGANISATIONS TO ASSUME THEIR RESPONSIBILITIES BY DEMANDING THAT MOROCCON PUT AN END TO THE COLONIAL WAR IT IS WAGING IN WESTERN SAHARA BY WITHDRAWING ITS TROOPS FROM A TERRITORY WHICH DOES NOT BELONG TO IT, AND DEMANDS THAT THE US PUT AN END TO ITS INVOLVEMENT, WHICH WILL HAVE SERIOUS CONSEQUENCES, ON THE REGIME WHOSE UNAPPEASED EXPANSIONISM MAKES IT IMPATIENT TO FIGHT.

THE SAHRAWI PEOPLE, DETERMINED MORE THAN EVER TO PURSUE THEIR LEGITIMATE STRUGGLE FOR THEIR INALIENABLE RIGHT TO NATIONAL INDEPENDENCE, LAUNCH AN APPEAL TO ALL COUNTRIES OF THE WORLD TO SUPPORT THEIR STRUGGLE BY EVERY POSSIBLE MEANS.

''THE STRUGGLE CONTINUES TO IMPOSE NATIONAL
INDEPENDENCE AND PEACE''

ENDS.

2. IN HANDING OVER THE STATEMENT MR LAMINE SAID POLISARIO'S MAIN CONCERN WAS THAT MOROCCO HAD SHOWN THAT IT WAS NOT INTERESTED IN A NEGOTIATED SETTLEMENT. THE MOROCCAN GOVERNMENT, IN HIS VIEW, WAS ISOLATED IN NORTH AFRICA AND WITHIN ITS OWN COUNTRY AND THE UNITED STATES IN PROVIDING ASSISTANCE TO MOROCCO WAS MERELY ENCOURAGING MOROCCO TO PERSIST WITH ITS INTRANSIGNMENCE.

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3. LAMINE CLAIMED THAT THE POLISARIO FORCES CONTROLLED 91 PERCENT OF WESTERN SAHARA. POLISARIO WAS OPPOSED TO MOROCCO COLONIALISM AND NOT THE MOROCCO GOVERNMENT AS SUCH. IF MOROCCO WERE TO WITHDRAW FROM WESTERN SAHARA THE SADR WOULD SEEK TO ESTABLISH GOOD RELATIONS WITH MAURITANIA AS CURRENTLY BEING VERY GOOD. LAMINE MENTIONED THAT POLISARIO HAD JUST RECENTLY OPENED AN OFFICE IN PARIS WHICH HAD BEEN GIVEN SOME OFFICIAL RECOGNITION.

4. IN PASSING LAMINE SAID THAT IF IT WERE ACCEPTABLE TO THE AUSTRALIAN GOVERNMENT, A POLISARIO DELEGATION LED BY ITS FOREIGN MINISTER WOULD TRAVEL TO AUSTRALIA TO PUT POLISARIO'S CASE TO THE MINISTER. HE DID NOT HOWEVER PRESS FOR AN INVITATION.

5. WE WERE NOT ASKED TO STATE AUSTRALIA'S POSITION IN THE CONFLICT BUT, DRAWING ON YOUR O.CH331, TOOK THE OPPORTUNITY TO STATE OUR POSITION IN RESPECT OF VOTING ON THE ALGERIAN RESOLUTION AT UNGA 36 AND TO POINT OUT THAT THIS DID NOT REFLECT ANY CHANGE IN OUR VIEWS ON THE RIGHT TO SELF-DETERMINATION OF THE INHABITANTS OF WESTERN SAHARA.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
FOREIGN MINISTER
MIN DEFENCE
DEP DEFENCE
DEP P M AND CABINET
JIO

ACTION: AME
JCEB
JBAE

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) ANZ EUR CN FAS(DN) NUC
NPD DEF DPR FAS(IOAME) IO
FAS(ECO) FAS(LT) FAS(MFS) FAREP-M
FAREP-P FAREP-S

ACCRA AMMAN BAGHDAD BEIRUT BONN CAIRO DAMASCUS JEDDAH LAGOS
LUSAKA MADRID NAIROBI TEHRAN TEL AVIV

IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

935/28/2. 4.

25 FEB 1982

Canberra Times

Assassination attempt on Vice-President

DAR ES SALAAM, Wednesday (AAP-AFP). — The Ugandan Vice-President, Mr Paulo Muwanga, had survived an assassination attempt yesterday when his convoy was ambushed by terrorists, Tanzania's official news agency, Shihata, reported in Dar es Salaam.

Shihata, quoting Ugandan security sources, said the attempt on Mr Muwanga's life had taken place in the morning at Najjanankumbi, on the outskirts of the Uganadan capital, Kampala, on the Kampala-Entebbe highway, He had escaped unhurt, but a number of the so-called terrorists were reported killed.

A statement issued later by the Ugandan Government appealed to the people to hunt down the terrorists and also to report any suspicious character to the nearest authority.

□ NAIROBI, Wednesday (AAP-Reuter). — At least 69 people have been killed in a guerilla attack on the Ugandan capital of Kampala, seen as a show of strength by opposition movements pledged to the violent overthrow of President Obote.

The official death toll, considered conservative by diplomats in Kampala, was announced by Uganda Radio after 300 heavily armed guerillas slipped into Kampala and staged a co-ordinated mortar attack on the city's main military barracks.

According to the official version, the guerillas set up mortar positions around Kampala's imposing twin-tower Roman Catholic cathedral, perched on a hill-top, and blasted the Lubiri Barracks below.

Uganda Radio quoted a Defence Ministry spokesman as saying the attack was "a desperate act to capture the barracks and overthrow the Government".

It said two government soldiers and 67 guerillas had been killed in the fighting following the mortar assault. Kampala residents and diplomats described the violence as some of the worst since the war which ousted President Amin in 1979.

Responsibility for the attack was claimed by the Uganda Freedom Movement, one of three anti-Obote movements which joined forces last January.

but in Nairobi, triumphant Ugandan dissidents said the assault underlined that the anti-Obote movement was gaining strength and military expertise. Opponents of Dr Obote charge that he rigged the elections which returned him to power in December, 1980.

The attack on Kampala would not affect Australian plans to contribute six members to a Commonwealth force to help reconstruct the Ugandan national Army, a spokesman for the Department of Foreign Affairs said last night.

Eight delegations leave OAU meeting

25 FEB 1982

Canberra Times

ADDIS ABABA, Wednesday (AAP-Reuter). — Eight delegations stormed out of an Organisation of African Unity (OAU) ministerial session yesterday, throwing proceedings into disarray.

The walk-out was in protest against the admission of Polisario guerilla representatives to the talks and came on the second day of a week-long session.

Morocco, which is fighting Polisario guerillas in the Western Sahara, led the walk-out followed by the Ivory Coast, Senegal, Sudan, Guinea, Zaire, Cameroun and the Central African Republic.

The self-styled Saharoui Arab Democratic Republic (SADR) which the Polisario proclaimed in 1975 was admitted to the opening session of the talks on Monday by the OAU secretary-general, prompting an immediate walk-out by Morocco.

The assistant Secretary-General of the OAU, Mr Peter Onu, told reporters the eight delegations had quit the session until further notice because of the SADR's presence, but added that the ministerial council session would resume work today.

SADR was granted a place in the session by being recognised by 26 OAU member States, a decision Morocco contests.

Morocco's Ambassador to Khartoum, Mr Mohamed Muouline, told reporters the decision to admit SADR was against OAU rules and ran against the organisation's plans to end the war in the former Spanish territory.

A seven-nation OAU committee of Heads of State has drawn up proposals to end the conflict through a ceasefire and a referendum to determine whether the territory's inhabitants want independence or integration with Morocco.

ZIMBABWE

ZAPU defections

SALISBURY, Wednesday (AAP-AP). — Two top officials of Mr Nkomo's minority party quit yesterday to join the the party of the Zimbabwe Prime Minister, Mr Mugabe, while army engineers and police continued a search for more hidden weapons on farms belonging to Mr Nkomo and his followers. The officials who defected from Mr Nkomo's Zimbabwe African People's Union to Mr Mugabe's Zimbabwe African National Union were the District Chairmen of Gokwe, west of Salisbury, and Que Que, south-west of the capital.

The Que Que chairman, Mr Charles Jili, said, "The arms caches find and the property accumulation by ZAPU leaders has disgusted me and undermined my organisation's influence."

The Gokwe chairman, Mr Wellington Chikuni, said, "Most people in my area have left ZAPU to join ZANU."

A secretary at Mr Nkomo's house said he was busy organising a meeting of the 152-member ZAPU central committee to decide whether the party should remain in the crumbling coalition Government or go into Opposition.

WHAT NZ MISSION?

WHAT A FARCE the New Zealand peacekeeping force for the Sinai represents . . .

Prime Minister Muldoon, who is not sure whether to become the 52nd State of the US after Fraser tosses in Australia's towel or enlist as a South African Republic, is sending two helicopters and support crews.

The Iriquois helicopters will be hired from the United States, would you believe? This is to "avoid excessive wear and tear on the NZ Air Force aircraft."

Muldoon also said the cost of the hiring of them would be met partly by the United States. Sort of like hiring a rental car from Budget and letting Bob Ansett pick up the tab.

SYDNEY SUN. 24 FEB 1982

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ACTION: IO
COPY NO. 1

INWARD CABLEGRAM

O.UN23237 AMBR
TOR 09.07 25.02.82

O.UN23237 1645 24.2.82 CLA

TO.
PP CANBERRA/2219

RP.
PP GENEVA/3653 ALGIERS/135 PARIS EMB/1205

FM. UN NEW YORK / REF O.GE56619

R E S T R I C T E D

CHR 36 - ITEM 9: SELF DETERMINATION: WESTERN SAHARA

ALTHOUGH THE VOTE ON THIS MATTER HAS PROBABLY BY NOW BEEN TAKEN WE SHOULD LIKE TO OFFER THE FOLLOWING COMMENT

2. WE HAVE BEEN STRUCK BY ALGERIA'S INFLEXIBILITY ON THIS ISSUE IN GENEVA AS HERE IN NEW YORK DURING UNGA 36 THEY HAVE THE NUMBERS AND DO NOT SEEM MUCH CONCERNED IN BENDING TO ATTRACT ADDITIONAL WESTERN SUPPORT. ALSO, WE WOULD BE INCLINED TO WEIGH ALGERIA'S SUPPORT FOR THE DRAFT RESOLUTION ON GOVERNMENT BY CONSENT. AGAINST MOROCCO'S SUPPORT FOR - AND ALGERIA'S OPPOSITION TO - RESOLUTIONS ON SUCH MATTERS AS KAMPUCHEA AND AFGHANISTAN.

3. WE RECOGNISE OF COURSE THAT THERE WILL BE CONSIDERATIONS SUCH AS VOTING COMPANY AT GENEVA OF WHICH WE ARE NOT FULLY AWARE BUT ALSO CONSIDER THAT THE WHOLE WESTERN SAHARA QUESTION HAS BECOME LESS RATHER THAN MORE CLEAR AS A RESULT OF THE RECENT DEVELOPMENTS IN THE OAU COUNCIL OF MINISTERS.

4. THE FACT OF THE MATTER IS THAT FOR ADMITTEDLY FORTUITOUS REASONS AUSTRALIA AT UNGA 36 WAS ABLE CREDIBLY TO RETREAT TO A MORE NEUTRAL AND COMFORTABLE POSITION ON THIS ISSUE AND THUS TO JOIN THE RESPECTABLE COMPANY OF THE LARGE MAJORITY OF WEOG STATES. A VOTE NOW IN FAVOUR OF THE ALGERIAN DRAFT WOULD AGAIN PUT US BACK IN THE ALGERIAN CAMP WITH LITTLE VISIBLE GAIN FOR AUSTRALIA'S POLITICAL INTERESTS.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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FAS(EANZ) CN FAS(DN) DEF DPR
FAS(IOAME) FAS(CIC) RIA FAS(ECO) EO
FAS(LT) GLT FAREP-M FAREP-P FAREP-S
DIR-ADAB FAS(BP) FAS(PTO) PDC IOL

LONDON WASHINGTON

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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(F) 935/28/2

INWARD CABLEGRAM

O.AL5616 MJDE
TOR 03.00 25.02.82

O.AL5616 1600 24.2.82 UNC

TO.
PP CANBERRA/4228

RP.
PP PARIS EMB/926 NAIROBI/38 UN NEW YORK/202
PP WASHINGTON/74 LAGOS/33
BB DAR ES SALAAM/20 SALISBURY/16 ACCRA/20
BB LUSAKA/06 CAIRO/114

FM. ALGIERS / REF O.AL5617

U N C L A S S I F I E D

WESTERN SAHARA : OAU COUNCIL MEETING

THE ALGERIAN PRESS HAS NOT SURPRISINGLY PORTRAYED THE PARTICIPATION OF THE RASD IN THE CURRENT MEETING OF THE OAU COUNCIL OF MINISTERS AS A SIGNIFICANT VICTORY FOR POLISARIO AND DESERVED RECOGNITION OF ITS LONG STRUGGLE. THE PROCEDURE UNDER WHICH THE RASD GAINED A PLACE IN THE CONFERENCE HALL IS DEFENDED AS A PROPER APPLICATION OF ARTICLE 28 OF THE OAU CHARTER, GIVEN THAT A MAJORITY OF 26 AFRICAN STATES HAD PREVIOUSLY VOTED IN FAVOUR OF ITS ADMISSION. THE WALK-OUT OF THE DELEGATIONS OF MOROCCO, SENEGAL, CAR, GUINEA, CAMEROON, IVORY COAST AND ZAIRE IS REPORTED.

2. THE RASD'S PARTICIPATION AT THE MEETING IS TREATED AS OFFICIAL ADMISSION TO THE OAU. THE LINE TAKEN IS THAT NOW ~~MORE~~ THAN EVER, MOROCCO MUST RESPOND TO POLISARIOX'S CALL FOR DIRECT NEGOTIATIONS.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INWARD CABLEGRAM

O.AL5617 MJDE
TOR 03.50 25.02.82

O.AL5617 1600 24.2.82 CLA

TO.
PP CANBERRA/4229

RP.
PP PARIS EMB/927 NAIROBI/39 UN NEW YORK/203
PP WASHINGTON/75 LAGOS/34
BB DAR ES SALAAM/21 SALISBURY/17 ACCRA/21
BB LUSAKA/07 CAIRO/115

FM. ALGIERS / FILE 862/98/1 REF O.AL5616

R E S T R I C T E D

WESTERN SAHARA : OAU COUNCIL MEETING

HEAD OF MOROCCAN INTERESTS SECTION (NEDJAR) HAS TOLD US THAT MOROCCO HAS SENT LETTERS TO THE PRESIDENT AND SECRETARY-GENERAL OF THE OAU AND TO THE MEMBERS OF THE OAU IMPLEMENTATION COMMITTEE PROTESTING AGAINST THE ADMISSION OF THE RASD TO THE OAU. HE MAINTAINS THAT THE PROCEDURE USED TO INSTALL THE RASD WAS ENGINEERED BY ALGERIA AS A COUNTER TO THE OUTCOME OF THE MEETING OF THE OAU IMPLEMENTATION COMMITTEE ON THE WESTERN SAHARA AT WHICH HE SAYS ALGERIA FAILED TO SECURE ACCEPTANCE OF ITS POSITION (OUR O.AL5607 REFERS).

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JCAA
JAE
JBAE

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) EUR CN FAS(DN) NUC NPD
NS DEF DPR FAS(IOAME) IO FAS(ECO)
FAS(LT) FAS(MFS) FAREP-M FAREP-P
FAREP-S DIR-ADAB

JEDDAH LONDON MADRID MOSCOW PEKING PRETORIA

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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ACTION: IO
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INWARD CABLEGRAM

O.GE56619 CWCH
TOR 06.09 24.02.82

O.GE56619 2000 23.2.82 CLA FIRST

TO.
PP CANBERRA/204

RP.
RR UN NEW YORK/3725 ALGIERS/126 PARIS EMB/2118

FM. GENEVA /

R E S T R I C T E D

CHR 38 : ITEM 9 : SELF-DETERMINATION : WESTERN SAHARA

ALGERIA TOLD US TODAY THAT AFTER CONSIDERATION THEY ARE UNWILLING TO DELETE THE WORD ''DIRECT'' IN OP2 OF THEIR DRAFT ON WESTERN SAHARA (NOW ISSUED AS L.18). THEY EXPLAINED THIS IN TERMS OF RECENT DEVELOPMENTS AT THE OAU IN NAIROBI WHERE (THEY SAID) THE POLISARIO HAS BEEN ADMITTED TO AN OAU MEETING AS A FULL PARTICIPANT, OVER MOROCCAN OBJECTIONS. THE OPERATIVE PARAGRAPHS OF THEIR DRAFT THEREFORE STAND AS YOU HAVE THEM, WITH THE FOLLOWING DRAFTING CHANGES:

(A) REPLACEMENT OF THE WORDS ''A GENERAL FREE AND REGULAR REFERENDUM'' BY ''A FREE AND FAIR REFERENDUM ON SELF DETERMINATION''

(B) OP2 : REPLACEMENT OF ''A PRIMARY AND INDISPENSABLE CONDITION'' BY ''AN INDISPENSABLE PREREQUISITE''.

THE DRAFT IS COSPONSORED INTER ALIA BY GHANA, UGANDA, ZAMBIA, ZIMBABWE AND TOGO. OTHER FRANCOPHONE AFRICANS (SENEGAL, ZAIRE) ARE LIKELY TO ABSTAIN, AS WILL WEOS.

2. WE RECOMMEND THAT WE SUPPORT THE DRAFT AS IT STANDS, IN VIEW OF ITS ACCEPTANCE BY COMMONWEALTH AFRICANS AND OF OUR POSITION OF PRINCIPLE ON SELF-DETERMINATION. IT IS ALSO WORTH NOTING THAT ALGERIA IS A COSPONSOR WITH AUSTRALIA OF THE DRAFT UNDER ITEM 9 ON GOVERNMENT BY CONSENT.

3. VOTING IS SCHEDULED FOR WEDNESDAY 24 FEBRUARY. GRATEFUL INSTRUCTIONS BY OPENING OF BUSINESS.

.../2

RESTRICTED
FIRST

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

RESTRICTED
FIRST

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

2-O.GE56619

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

ACTION: IO

LEA
OGAC

AME

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) CN FAS(DN) DEF DPR
FAS(IOAME) FAS(CIC) ICR RIA FAS(ECO)
EO FAS(LT) GLT IL FAREP-M FAREP-P
FAREP-S DIR-ADAB FAS(BP) FAS(PTO) PDC
IOL

LONDON WASHINGTON

RESTRICTED
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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INWARD CABLEGRAM

O.AL5607 MTOO
TOR 01.29 23.02.82

O.AL5607 1430 22.2.82 UNC

TO.
RR CANBERRA/4222

RP.
RR NAIROBI/37 PARIS EMB/925 UN NEW YORK/201
RR WASHINGTON/71 LAGOS/32
BB SALISBURY/15 DAR ES SALAAM/19 ACCRA/19
BB LUSAKA/05 CAIRO/113

FM. ALGIERS / FILE 910/3

U N C L A S S I F I E D

WESTERN SAHARA : MEETING OF OAU WORKING GROUP /: ALGERIAN REACTION

ON 20 FEBRUARY, AFTER A TEN DAY SILENCE, ''EL MOUDJAHID'' PUBLISHED UNDER THE HEADING ''QUESTIONS LEFT IN SUSPENSE'' ITS REACTION TO THE NAIROBI MEETING ON THE WESTERN SAHARA. THE LINE TAKEN IS THAT THE MEETING HAD LEFT AN AFTER-TASTE OF UNFINISHED BUSINESS. THE ''SEVEN'' HAD APPEARED TO EQUIVOCATE ON POINTS ON WHICH THEY OUGHT TO HAVE BEEN PRECISE. COULD THE REASON HAVE BEEN THAT THEY DID NOT WANT TO PROVIDE MOROCCO WITH AN EXCUSE FOR BREAKING WITH THE OAU?

2. ''EL MOUDJAHID3'NOTES THAT, THOUGH IT ADOPTED TWO PROPOSALS (CEASE-FIRE, REFERENDUM) IN A HEAVILY AMENDED FORM, THE WORKING GROUP ABANDONED THE TEXT ON THE UNITED NATIONXS PEACEKEEPING FORCE. THE NEW DECISION ON A CEASE-FIRE SIMPLY FORESHADOWS ''A PEACEKEEPING FORCE OR A GROUP OF MILITARY OBSERVERS'' WITHOUT GOING INTO DETAIL. THE HEAD OF THE INTERIM ADMINISTRATION IS NOW TO BE NOMINATED BY THE WORKING GROUP AND NOT BY THE SECREATARY-GENERAL OF THE UNITED NATIONS. THE UNITED NATIONS' PARTICIPATION IS THUS TO BE MUCH REDUCED.

3. THE JOURNAL NOTES THAT IN HIS FINAL DECLARATION TO THE CONFERENCE, M. MOI UNDERLINED THAT THE TWO PARTIES TO THE CONFLICT WERE ''KNOWN TO EVERYONE''. FOR HIS PART THE POLISARIO SECURITY-GENERAL REGRETTED THAT MOROCCO HAD REFUSED TO SIT DOWN AT THE NEGOTIATING TABLE AND THAT THE SUMMIT HAD NOT OPENED UP A PATH TO PEACE. THE MOROCCAN FOREIGN MINISTER MEANWHILE HAD DECLARED AT NAIROBI THAT MOROCCO WOULD NEVER RECOGNISE POLISARIO. HE ALSO REFUSED CATEGORICALLY TO ACCEPT THE PRACTICAL MODALITIES PROPOSED FOR THE APPLICATION OF THE REFERENDUM. ACCORDING TO HIS CONCEPTION, IT WAS FOR MOROCCO TO ORGANISE THE REFERENDUM WITH ONLY A SYMBOLIC OAU PARTICIPATION.

4. IN ''EL MOUDJAHID'S'' VIEW AN OUTCOME OF THAT SORT WOULD HAVE BEEN A SHAM WITH WHICH THE WORKING GROUP COULD NOT HAVE ASSOCIATED

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

INFO: IO
COPY NO. 1

INWARD CABLEGRAM

2-O.AL5607

ITSELF WITHOUT BEING BROUGHT INTO DISREPUTE. THE DEW DECISIONS TAKEN AT NAIROBI THUS AMOUNT TO A REJECTION OF THE MOROCCAN POSITION. ALL THE SAME THESE DECISIONS CAN ONLY BE A BASIS FOR THE NEGOTIATIONS ''ENVISAGED'', SINCE MANY OF THE MODALITIES REMAIN TO BE SPELLED OUT ''BY THE TWO BELLIGERENTS'' - IF, IT BEING ALWAYS UNDERSTOOD, LOROCCO CHANGES ITS PRESENT ATTITUDE.

5. ANOTHER ARTICLE IN THE SAME EDITION IS CRITICAL OF UNITED STATES POLICY IN THE REGION WHICH IT SAYS ENCOURAGES RABAT IN ITS INTRANSIGENCE. IT ARGUES THAT THE CONNECTION BETWEEN THE PROPOSAL TO ESTABLISH ACCESS AND TRANSIT FACILITIES FOR UNITED STATES MILITARY FORCES IN MOROCCO AND THE NAIROBI MEETING ON THE WESTERN SAHARA IS CONFIRMED BY THE MOROCCO FOREIGN MINISTER'S STATEMENT, MADE IN THE CONTEXT OF THE WESTERN SAHARA, THAT MOROCCO ''WILL NOT HESITATE TO CONCLUDE AN ALLIANCE WITH ANYONE TO PROTECT OUR SOVEREIGNTY''.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JCAA
JAE
JBAE

SEC	DEPSEC-A	DEPSEC-B	DEPSEC-C	PPU	
LA	EX	MCO	PA	FAS(SEP)	FAS(NSA)
FAS(EANZ)	EUR	CN	FAS(DN)	NUC	NPD
NS	DEF	DPR	FAS(IOAME)	IO	FAS(ECO)
FAS(LT)	FAS(MFS)	FAREP-M	FAREP-P		
FAREP-S	DIR-ADAB				

JEDDAH LONDON MADRID MOSCOW PEKING PRETORIA

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

RESTRICTED
FIRST

ACTION: IO
COPY NO. 2

OUTWARD CABLEGRAM

OUT

O.CH16808 AMBR

O.CH16808 1746 19.2.82 CLA FIRST

TO.
PP GENEVA/3239

RP.
RR UN NEW YORK/7831 PARIS EMB/849 ALGIERS/8205
BB WASHINGTON/5777 LONDON/6067 MOSCOW/5582

FM. CANBERRA / FILE 935/28/2 REF O.CH16436

R E S T R I C T E D

CHR 38 : ITEM 9 : WESTERN SAHARA

FURTHER TO OUR REFTEL AND TO WELLS/QUINN TELECON OF 18/19 FEBRUARY, WE CONSIDER THAT THE DELETION OF THE WORD ''DIRECT'' FROM OP PARA 2 OF THE ALGERIAN DRAFT WOULD BE A CONSIDERABLE IMPROVEMENT AND WOULD LARGELY MEET CONCERNS OUTLINED IN PARA 3 OF OUR REFTEL. YOU SHOULD ADVISE THE ALGERIANS (AND WEOS) THAT WE WOULD BE PREPARED TO SUPPORT THE DRAFT ON THIS BASIS. PLEASE ADVISE US IF THERE ARE ANY FURTHER DEVELOPMENTS.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER FOREIGN MINISTER DEP ATTORNEY GENERAL
DEP P M AND CABINET

ACTION: IO OGAC
AME

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) CN FAS(DN) DEF DPR
FAS(IOAME) FAS(CIC) RIA FAS(LT) GLT
IL FAREP-M FAREP-P FAREP-S DIR-ADAB
FAS(BP) FAS(PTO) PDC IOL

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OUT

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ACTION: IO
COPY NO. 2

OUTWARD CABLEGRAM

OUT

O.CH16436 AMBR

O.CH16436 1710 18.2.82 CLA

TO.
PP GENEVA/3203

RP.
RR UN NEW YORK/7812 PARIS EMB/816 ALGIERS/8198
BB WASHINGTON/5776 LONDON/6066 MOSCOW/5581

FM. CANBERRA / FILE 929/34/9 935/28/2 REF O.GE56441

R E S T R I C T E D

CHR 38 : ITEM 9 : WESTERN SAHARA

OUR INITIAL INCLINATION IS TO SUPPORT THE ALGERIAN DRAFT, WHICH IS GENERALLY MORE MODERATE THAN PREVIOUS RESOLUTIONS WHICH WE SUPPORTED AT UNGA 35 AND CHR 37, AND ALSO SUITABLY ENDORSES THE PROPOSALS OF THE OAU IMPLEMENTATION COMMITTEE.

2. THE WORDING OF OP.2 IS SIMILAR TO THE LANGUAGE IN THE UNGA 35 RESOLUTION, WHICH WE SUPPORTED. ALTHOUGH WE AND OTHERS DID NOT SUPPORT THE ALGERIAN RESOLUTION AT UNGA 36, THIS WAS LARGELY FOR TACTICAL REASONS IN VIEW OF ALGERIA'S REFUSAL EITHER TO MODIFY ITS DRAFT RESOLUTION OR TO WITHDRAW IT IN FAVOUR OF AN OAU DRAFT. SINCE A SIMILAR SITUATION DOES NOT EXIST IN CHR 38, AND SINCE NONE OF THE COUNTRIES WHICH JOINED US AT UNGA 36 IN MOVING FROM A POSITIVE VOTE TO AN ABSTENTION ARE PRESENTLY MEMBERS OF THE CHR, WE CONSIDER THAT IT WOULD BE DIFFICULT FOR US AGAIN TO ABSTAIN AS WE DID AT UNGA 36. AN ADDITIONAL IMPORTANT CONSIDERATION, OF COURSE, IS AUSTRALIA'S SUPPORT FOR THE PRINCIPLE OF SELF-DETERMINATION AS ENUNCIATED IN OTHER CHR RESOLUTIONS UNDER THIS ITEM.

3. WE WOULD REGARD THE FORMULATION IN OP.2 OF ''THE TWO PARTIES IN CONFLICT'' AS A DESCRIPTION OF THE ACTUAL SITUATION ON THE GROUND RATHER THAN AN IDENTIFICATION OF THE PARTIES TO THE DISPUTE IN A LEGAL SENSE. WE WONDER, HOWEVER, WHETHER ALGERIA COULD NOT ATTRACT WIDER SUPPORT FOR ITS DRAFT BY AMENDING OP. 2 TO OMIT THE WORDS ''TO ENTER INTO DIRECT NEGOTIATIONS WITH A VIEW'' SO THAT THE PARA WOULD SIMPLY READ ''URGES TO THIS END THE TWO PARTIES IN CONFLICT ... TO CONCLUDE A CEASE FIRE...''. THE PARA WOULD THEN, WHILE STILL RETAINING THE REFERENCE TO POLISARIO, CONFORM MORE BROADLY WITH OAU LANGUAGE, PARTICULARLY THE OAU SUMMIT RESOLUTION OF JUNE 1981. IN THE CONTEXT OF OUR GENERAL DISPOSITION TO SUPPORT THE DRAFT, WE WOULD LIKE YOU TO PROPOSE THE FOREGOING TO THE ALGERIANS.

.../2

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ACTION: IO
COPY NO. 2

OUTWARD CABLEGRAM

OUT

2-O.CH16436

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

ACTION: IO
AME

OGAC

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) CN FAS(DN) DEF DPR
FAS(IOAME) FAS(CIC) RIA FAS(LT) GLT
IL FAREP-M FAREP-P FAREP-S DIR-ADAB
FAS(BP) FAS(PTO) PDC IOL

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DIPLOMATIC COMMUNICATIONS NETWORK

ACTION: IO
COPY NO. 2

INWARD CABLEGRAM

O.GE56441 MJWO
TOR 06.03 17.02.82

O.GE56441 1900 16.2.82 CLA

TO.
PP CANBERRA/068

RP.
RR UN NEW YORK/3686 PARIS EMB/2113 ALGIERS/125

FM. GENEVA /

R E S T R I C T E D

CHR 38 : ITEM 9 : WESTERN SAHARA

SET OUT BELOW FOR YOUR CONSIDERATION IS THE TEXT OF A DRAFT ON WESTERN SAHARA WHICH ALGERIA PROPOSES TO TABLE UNDER ITEM 9. AT FIRST SIGHT WE WOULD SEE POTENTIAL PROBLEMS ONLY WITH OPERATIVE PARAGRAPH 2. WE SHALL REPORT FURTHER AFTER CONSULTATIONS. GRATEFUL ANY PRELIMINARY REACTIONS FOR THIS PURPOSE.

BEGINS

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (UNDERLINED)

THE COMMISSION ON HUMAN RIGHTS,

GUIDED BY THE PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS,

BEARING IN MIND THE PROVISIONS OF THE CHARTER OF THE UNITED NATIONS, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND OTHER RELEVANT INTERNATIONAL INSTRUMENTS RELATING TO HUMAN RIGHTS,

RECALLING THE DECLARATION ON THE GRANTING OF INDEPENDANCE TO COLONIAL COUNTRIES AND PEOPLES, ADOPTED BY THE GENERAL ASSEMBLY IN RESOLUTION 1514 (XV) OF 14 DECEMBER 1960,

CONSCIOUS OF ITS RESPONSIBILITY TO PROMOTE AND ENCOURAGE OBSERVANCE OF THE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS FOR ALL,

BEARING IN MIND THE PROFOUND CONCERN OF THE UNITED NATIONS, THE ORGANIZATION OF AFRICAN UNITY AND THE NON-ALIGNED COUNTRIES REGARDING THE DECOLONIZATION OF WESTERN SAHARA AND THE RIGHT OF THE PEOPLE OF THAT TERRITORY TO SELF-DETERMINATION AND INDEPENDANCE,

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CONSIDERING THE RELEVANT RESOLUTIONS OF THE GENERAL ASSEMBLY ON THE QUESTION OF WESTERN SAHARA, AND MORE PARTICULARLY RESOLUTION 36/46 OF 24 NOVEMBER 1981, AND DECISION 36/406 OF 24 NOVEMBER 1981.

TAKING NOTE OF THE DECISION ON THE QUESTION OF WESTERN SAHARA ADOPTED BY THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT OF THE ORGANIZATION OF AFRICAN UNITY AT ITS 18TH ORDINARY SESSION HELD AT NAIROBI, KENYA FROM 24 TO 18 JUNE 1981, AND ALSO OF THE DECISION ADOPTED BY THE IMPLEMENTATION COMMITTEE IN ITS SESSION HELD AT NAIROBI FROM 24 TO 26 AUGUST 1981.

RECALLING THE IMPORTANCE OF THE REPORTS PREPARED BY THE SPECIAL RAPPORTEURS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES CONCERNING, RESPECTIVELY, ''THE RIGHT TO SELF-DETERMINATION THE HISTORICAL AND CURRENT DEVELOPMENT ON THE BASIS OF UNITED NATIONS INSTRUMENTS'' AND THE ''THE RIGHT TO SELF DETERMINATION - IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS'', RELATING TO THE RIGHT OF PEOPLES UNDER COLONIAL AND ALIEN DOMINATION TO SELF-DETERMINATION.

RECALLING ALSO RESOLUTIONS 4 (XXXVI) AND 12 (XXXVII) ADOPTED BY THE COMMISSION ON HUMAN RIGHTS AT ITS 36TH AND 37TH SESSIONS.

1. WELCOMES THE DECISIONS AND RESOLUTIONS OF THE ORGANIZATION OF AFRICAN UNITY AND THE UNITED NATIONS TO ORGANIZE THROUGHOUT THE TERRITORY OF WESTERN SAHARA A ~~GENERAL~~ FREE AND ~~REGULAR~~ REFERENDUM ON SELF-DETERMINATION IN ORDER TO REACH A JUST AND DEFINITIVE SOLUTION TO THE QUESTION OF THE WESTERN SAHARA.

2. URGES TO THAT END THE TWO PARTIES IN CONFLICT MOROCCO AND THE FRENTE POPULAR PARA LA LIBERACION DE SAGUIA EL HAMRA Y DE RIO DE ORO (F. POLISARIO) TO ENTER INTO DIRECT NEGOTIATIONS WITH A VIEW TO CONCLUDE A CEASE FIRE ~~THAT IS AN PRIMARY AND~~ INDISPENSABLE ~~CONDITION~~ PREREQUISITE FOR THE ORGANIZATION OF THE REFERENDUM ON SELF DETERMINATION.

DECIDES TO FOLLOW CLOSELY THE DEVELOPMENTS OF THE SITUATION IN WESTERN SAHARA AND TO CONSIDER THIS QUESTION WITHIN THE FRAMEWORK OF THE ITEM ENTITLED ''THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION'' AT ITS 39TH SESSION, AS A MATTER OF HIGH PRIORITY.

ENDS

27 (Aust., Greece) - 3 - (US, Senegal, Zaire)
- 13 (WEOS)

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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ACTION: IO
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INWARD CABLEGRAM

3-O.GE56441

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP P M AND CABINET

FOREIGN MINISTER

DEP ATTORNEY GENERAL

ACTION: IO

OGAC

SEC	DEPSEC-A	DEPSEC-B	DEPSEC-C	PPU
LA	EX	MCO	PA	FAS(SEP)	FAS(NSA)
FAS(EANZ)	CN	FAS(DN)	DEF	DPR	
FAS(IOAME)	AME	FAS(CIC)	RIA	FAS(LT)	
GLT	IL	FAREP-M	FAREP-P	FAREP-S	
DIR-ADAB	FAS(BP)	FAS(PTO)	PDC	IOL	

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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COMMISSION ON HUMAN RIGHTS : THIRTY-EIGHTH SESSION

MEMBERSHIP

W. Sahara
UNGA 36

		Term Expires 31 December		
WEO Group (10 Members)		1982	1983	1984
* Denmark	(A) also UNGA 35	x		
Greece	Y	x		
* Netherlands	A	x		
* Australia	A		x	
France	A		x	
United States	N		x	
* Canada	A			x
* FRG	A			x
* Italy	A			x
* United Kingdom	A			x
Africa (11 Members)				
Algeria	Y	x		
Ethiopia	Y	x		
Zambia	Y	x		
Ghana	Y		x	
* Senegal	(N)		x	
Uganda	Y		x	
* Zaire	N		x	
* Gambia	(A) (Y UNGA 35)			x
* Rwanda	Y			x
Togo	Y			x
Zimbabwe	Y			x
Asia (9 Members)				
* Cyprus	Y	x		
* India		x		
* Syria		x		
Fiji			x	
* Jordon			x	
Philippines			x	
China				x
* Japan				x
Pakistan				x
Latin America (8 Members)				
* Costa Rica		x		
* Panama		x		
* Peru		x		
Brazil			x	
Mexico			x	
Argentina				x
Cuba				x
* Uruguay				x
Eastern Europe (5 Members)				
* Byelorussian SSR		x		
* USSR		x		
* Poland			x	
* Yugoslavia			x	
* Bulgaria				x

935/28/2.

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OUT

AMENDED COPY

O.CH15522 MJWO

O.CH15522 1744 15.2.82 CLA

TO.
RR NAIROBI/211 PARIS EMB/734 ALGIERS/8188

RP.
RR UN NEW YORK/7773 LONDON/1637 WASHINGTON/6047
RR CAIRO/6943 DAR ES SALAAM/3844 LAGOS/3394
BB SALISBURY/104 ACCRA/5168 MOSCOW/5577

FM. CANBERRA / FILE 935/28/2 REF O.NA15198

C O N F I D E N T I A L

WESTERN SAHARA: OAU IMPLEMENTATION COMMITTEE

THANKS FOR YOUR USEFUL REFTEL. THE MOROCCAN COMMENTS ON FOREIGN INTERFERENCE REPORTED IN YOUR PARA 12 ARE INTERESTING IN THE CONTEXT OF OTHER RECENT REPORTS OF HEIGHTENED MOROCCAN (AND UNITED STATES') CONCERN OVER GROWING SOVIET ETC. INTEREST IN THE WESTERN SAHARA CONFLICT. IN ADDITION, THE ABSENCE OF KING HASSAN FROM THE NAIROBI MEETING, AND MOROCCO'S STRONG RESTATEMENT OF ITS POSITION ON THE STATUS OF POLISARIO DOES NOT SEEM TO AUGUR WELL FOR THE PROSPECTS OF MOROCCAN COOPERATION WITH OAU CEASEFIRE AND REFERENDUM PROPOSALS. IN THIS CONTEXT, OAU MOTIVES RE MOROCCAN/POLISARIO CONTACTS, MENTIONED IN YOUR PARA 8, MAY GIVE MOROCCO A PRETEXT TO PULL BACK FROM THE OAU EXERCISE. GRATEFUL FOR POSTS' CONTINUED REPORTING OF DEVELOPMENTS AND OF HOST COUNTRIES' REACTIONS.

AC. AMENDED DISTRIBUTION

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

.../2

CONFIDENTIAL

OUT

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

CONFIDENTIAL

ACTION: IO
COPY NO. 1

OUTWARD CABLEGRAM

OUT

2-0.CH15522

ACTION: IO
AME JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(EANZ) EUR
CN FAS(DN) DEF DPR FAS(IOAME)
FAS(ECO) FAS(MFS) FAREP-M FAREP-P
FAREP-S

LUSAKA PRETORIA

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INFO: IO
COPY NO. 1

OUTWARD CABLEGRAM

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O.CH15522 MJWO

O.CH15522 1744 15.2.82 CLA

TO.
RR NAIROBI/211 PARIS EMB/734 ALGIERS/8188

RP.
RR UN NEW YORK/7773 LONDON/1637 WASHINGTON/6047
RR CAIRO/6943 DAR ES SALAAM/3844 LAGOS/3394
BB SALISBURY/104 ACCRA/5168 MOSCOW/5577

FM. CANBERRA / FILE 935/28/2 REF O.NA15198

C O N F I D E N T I A L

WESTERN SAHARA: OAU IMPLEMENTATION COMMITTEE

THANKS FOR YOUR USEFUL REFTEL. THE MOROCCAN COMMENTS ON FOREIGN INTERFERENCE REPORTED IN YOUR PARA 12 ARE INTERESTING IN THE CONTEXT OF OTHER RECENT REPORTS OF HEIGHTENED MOROCCAN (AND UNITED STATES') CONCERN OVER GROWING SOVIET ETC. INTEREST IN THE WESTERN SAHARA CONFLICT. IN ADDITION, THE ABSENCE OF KING HASSAN FROM THE NAIROBI MEETING, AND MOROCCO'S STRONG RESTATEMENT OF ITS POSITION ON THE STATUS OF POLISARIO DOES NOT SEEM TO AUGUR WELL FOR THE PROSPECTS OF MOROCCAN COOPERATION WITH OAU CEASEFIRE AND REFERENDUM PROPOSALS. IN THIS CONTEXT, OAU MOTIVES RE MOROCCAN/POLISARIO CONTACTS, MENTIONED IN YOUR PARA 8, MAY GIVE MOROCCO A PRETEXT TO PULL BACK FROM THE OAU EXERCISE. GRATEFUL FOR POSTS' CONTINUED REPORTING OF DEVELOPMENTS AND OF HOST COUNTRIES' REACTIONS.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
FOREIGN MINISTER
DEP P M AND CABINET
MIN DEFENCE
JIO

ACTION: AME
JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(EANZ) EUR
CN FAS(DN) DEF DPR FAS(IOAME) IO
FAS(ECO) FAS(MFS) FAREP-M FAREP-P
FAREP-S

LUSAKA PRETORIA

CONFIDENTIAL

OUT

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

935/28/2

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INWARD CABLEGRAM

O.NA15198 KPMO
TOR 21.57 12.02.82

O.NA15198 1030 12.2.82 CLA

TO.
PP CANBERRA/3786

RP.
RR UN NEW YORK/675 ALGIERS/050 CAIRO/366
RR WASHINGTON/633 DAR ES SALAAM/986 LAGOS/747
RR SALISBURY/233
BB ACCRA/214

+ RR Paris/Kamb Geneva
BB London
~~Washington~~

FM. NAIROBI / FILE 235/1

C O N F I D E N T I A L

OAU : WESTERN SAHARA

SUMMARY: THE OAU IMPLEMENTATION COMMITTEE MEETING ON THE WESTERN SAHARA AGREED ON ADMINISTRATIVE ARRANGEMENTS FOR A CEASEFIRE AND REFERENDUM IN WESTERN SAHARA BUT LEFT A NUMBER OF MAJOR ISSUES UNRESOLVED. THE CHAIRMAN HAS BEEN DELEGATED TO CONDUCT 'SHUTTLE DIPLOMACY' AMONG THE PRINCIPAL PARTIES TO RESOLVE MAJOR POINTS OF DIFFERENCE BEFORE THE NEXT AS YET UNSCHEDULED MEETING OF THE COMMITTEE.

A MEETING OF THE HEADS OF STATE (HOS) OF THE IMPLEMENTATION COMMITTEE ON THE WESTERN SAHARA MET IN NAIROBI ON 8/9 FEBRUARY. THE HOS MEETING WAS PRECEDED BY A MEETING OF FOREIGN MINISTERS OF THE IMPLEMENTATION COMMITTEE (ICWS). ALL MEMBERS OF THE ICWS (GUINEA, KENYA, MALI, NIGERIA, SIERRA LEONE, SUDAN AND TANZANIA) ATTENDED THE HEADS OF STATE MEETING ALTHOUGH MALI, SUDAN AND SIERRA LEONE WERE NOT REPRESENTED AT HEAD OF STATE LEVEL. REP- RESENTATIVES OF ALGERIA (PRESIDENT), MAURITANIA AND MOROCCO AND THE POLISARIO FRONT WERE PRESENT AS INTERESTED PARTIES. HASSAN OF MOROCCO, WHILE EXPECTED TO ATTEND, DID NOT.

2. PRIOR TO THE HOS MEETING, ICWS FOREIGN MINISTERS ENDORSED THREE DOCUMENTS. THE FIRST TWO OF WHICH CONCERNED ARRANGEMENTS FOR A CEASEFIRE AND ORGANISATION OF THE INTERIM ADMINISTRATION AND OF THE REFERENDUM. THE THIRD DOCUMENT CANVASSED THE POSSIBILITY OF UN INVOLVEMENT IN THE PEACEKEEPING FORCE AND IN THE INTERIM ADMINISTRATION.

3. DURING THE HOS DISCUSSSION, MOROCCO AND POLISARIO REPRESENTATIVES WERE SEPARATELY SUMMONED BY THE MEETING. MOROCCO SAID IT WAS READY TO COOPERATE WITH THE OAU BUT CONTINUED TO REJECT BILATERAL NEGOTIATIONS WITH POLISARIO, SAYING THAT IT WOULD NEVER RECOGNISE THE

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EXISTENCE OF THE POLISARIO. THE POLISARION, ON THE OTHER HAND, INSISTED THAT DIRECT NEGOTIATIONS OFFERED THE ONLY SOLUTION TO ACHIEVING A PEACEFUL SETTLEMENT.

4. THE FIRST TWO FOREIGN MINISTERS PAPERS WERE AGREED BY HOS, WITH MINOR AMENDMENTS. THE AGREED PAPER ON THE CEASEFIRE OUTLINED IN DETAIL ADMINISTRATIVE ARRANGEMENTS FOR BRINGING A CEASEFIRE INTO EFFECT, AND THAT THE CEASEFIRE DATE WOULD BE FIXED BY THE ICWS (ALTHOUGH NO DATE WAS SPECIFIED). IT PROVIDED FOR A PEACEKEEPING FORCE (NOT NAMED) AND/OR A MILITARY GROUP TO SUPERVISE THE IMPLEMENTATION OF THE CEASEFIRE.

5. THE PAPER ON THE REFERENDUM SET OUT IN DETAIL THE ARRANGEMENTS FOR THE INTERIM (IA) AND FOR ORGANISING 'A FAIR AND IMPARTIAL' REFERENDUM AS SOON AS THE CEASEFIRE IS IMPLEMENTED. THE IA WHICH WILL BE APPOINTED BY THE ICWS AND WHICH WILL HAVE FULL LEGISLATIVE AND ADMINISTRATIVE POWERS IS TO BE RESPONSIBLE FOR THE ORGANISATION AND CONDUCT OF THE REFERENDUM. IT IS TO OPERATE THROUGH THE MACHINERY OF THE EXISTING ADMINISTRATION STRUCTURES AND WILL BE HEADED BY A COMMISSIONER APPOINTED BY THE ICWS. THE PRIORITY TASK FOR THE IA, IS TO BE TO 'ESTABLISH THE MACHINERY FOR DRAWING UP LISTS OF PERSONS ELIGIBLE TO VOTE', AND THE DOCUMENT NOTES THAT TIME TAKEN TO PREPARE SUCH LISTS WILL BE THE MAIN DETERMINANT IN ESTABLISHING A TIME TABLE FOR THE ELECTION ITSELF. THERE IS PROVISION FOR A JOINT OAU/UN TEAM TO BE SENT TO THE WESTERN SAHARA TO LOOK AT ADMINISTRATIVE, LOGISTICAL AND OTHER MATTERS WHICH WILL FORM THE BASIS FOR THE COMMISSIONER'S WORK. THE SECTION ON THE REFERENDUM COVERS MATTERS SUCH AS VOTING PROCEDURES.

6. WE WILL BE SENDING COPIES OF BOTH ABOVE PAPERS BY BAG.

7. THE THIRD PAPER ON UN INVOLVEMENT WAS NOT CONSIDERED BY HOS AND WE UNDERSTAND HAS BEEN SET ASIDE FOR THE MOMENT AS CONTINGENT ON THE OUTCOME OF NEGOTIATIONS WITH BOTH PARTIES ON THE FIRST TWO PAPERS.

8. THERE WAS SOME OPTIMISM BEFORE THE HOS MEETING THAT SUBSTANTIAL PROGRESS WOULD BE MADE. IN HIS BRIEFING OF THE PRESS PRIOR TO THE HOS MEETING OAU SPOKESMAN ONU NOTED THAT THE FMS HAD NAMED THE PARTIES (POLISARIO AND MOROCCO) AND THE OAU WOULD BE 'CALLING A SPADE A SPADE'. IT APPEARED THAT THE FMS HOPED TO BE ABLE TO PERSUADE MOROCCO TO DEAL DIRECTLY WITH POLISARIO BY IMPOSING A DECISION ON IT TO DO SO.

9. IN THE EVENT THE HOS MEETING AGREED ON DETAILS FOR IMPLEMENTING THE CEASEFIRE, AND ORGANISING THE REFERENDUM BUT DODGED THE MAIN ISSUES. I.E. THE PARTIES WERE NOT NAMED, AND THERE WAS NO PROVISION FOR DIRECT NEGOTIATION BETWEEN THEM., NO DATE WAS SET FOR A

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IN
DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK
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CEASEFIRE AND THERE WAS NO DECISION ON WHOM THE PEACEKEEPING FORCE WOULD BE. NEITHER HAS A DATE BEEN SET FOR THE NEXT MEETING OF THE COMMITTEE.

10. THE RESULT WAS MUCH AS MOROCCO WOULD HAVE HOPED. MOROCCO WAS ABLE TO DEMONSTRATE ITS WILLINGNESS TO CO-OPERATE WITH THE OAU OVER A NUMBER OF ADMINISTRATIVE MATTERS WHILE MAINTAINING ITS REFUSAL OF DIRECT NEGOTIATIONS WITH POLISARIO. PREDICTABLY, POLISARIO FRONT DISMISSED THE MEETING AS A FAILURE ARGUING THAT WITHOUT DIRECT NEGOTIATION WITH MOROCCO THERE COULD BE NEITHER A CEASEFIRE NOR A REFERENDUM.

11. SEVERAL CRITICAL MATTERS NEED TO BE RESOLVED BEFORE THE PROCESS CAN GO ANY FURTHER AND THE HOS MEETING DELEGATED MOI AS CHAIRMAN TO CONDUCT 'HIGH LEVEL SHUTTLE DIPLOMACY' AMONTH THE PRINCIPALS TO RESOLVE THESE ALTHOUGH GIVEN THE CLEAR RELUCTANCE OF HOS TO PRESSURE MOROCCO INTO DIRECT NEGOTIATION (FOR FEAR MOROCCO MIGHT STILL WALK OUT OF THE PROCESS) MOI WILL HAVE A HARD TASK CUT OUT FOR HIM.

12. ONE INTERESTING ASIDE DURING THE CONFERENCE WAS ALLEGATIONS MADE BY MOROCCO'S AMBASSADOR TO KENYA THAT ACTIVITIES BY CUBA, GDR, VIETNAM AND SOUTH YEMEN WERE AGGRAVATING THE CONFLICT IN WESTERN SAHARA. CUBA, HE SAID, WAS SUPPLYING TECHNICAL ASSISTANCE TO THE PF THROUGH ALGERIA. HE ALSO CLAIMED THAT CUBA, SOUTH YEMEN AND VIETNAM WERE TRAINING PF PERSONNEL.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE
JAPAN SECRETARIAT

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

ACTION: AME

JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
FAS(EANZ) EUR CN FAS(DN) DEF DPR
FAS(IOAME) IO FAS(ECO) FAS(LT)
FAS(MFS) FAREP-M FAREP-P FAREP-S

LONDON LUSAKA MOSCOW PARIS EMB PEKING PRETORIA

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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DEPARTMENT OF FOREIGN AFFAIRS

INWARD BB MESSAGE

O.AL5554 SAK

Point in para 4 is interesting - & in fact supports an analogy with E. Timor! Soons or later someone at Parl. is going to try to draw a connection!

15 45 22 2 82

26/2

O.AL5554 0930 9.2.82 CLA

TO.
BB CANBERRA/254

RP.
BB PARIS EMB/222 WASHINGTON/56 UN NEW YORK/113
BB MADRID/68 NAIROBI/26 LAGOS/16
BB ACCRA/18 SALISBURY/14 CAIRO/112
BB TEHRAN/20 JEDDAH/43 BAGHDAD/36
BB DAMASCUS/29 LONDON/63 AMMAN/20

C O N F I D E N T I A L

WESTERN SAHARA : TUNISIAN VIEWS

Summary: The Tunisian Prime Minister has been offended by recent Algerian newspaper criticism of his remarks about the willingness of Algeria and Morocco to co-operate to achieve peace in the Western Sahara. As a result Tunisia seems likely to back away for a while from efforts to draw the two sides together. The Tunisian assessment appears to be that, as Hussan's position on a referendum had hardened his domestic problems had eased, while his external position is manageable. Rather it was Polisario and Algeria who had lost ground. It was doubtful that the USSR had intended that its SAM-6's should be used against Morocco. (Confidential)

2. The Tunisian Ambassador (Fezzani) has told us that following Algeria's veiled public criticism of Prime Minister Mzali's remarks concerning Algerian and Moroccan willingness to seek a settlement of the Western Sahara dispute (our O.AL5499 refers), Tunisia would be more reticent about seeking to play any intermediary role. He regarded the Algerian reaction as maladroit and as indicating a failure of diplomatic judgement on the part of those who should have been aware that Mzali was trying to be helpful. However, if Tunisia's efforts to bring the two sides together were not appreciated, they were quite content to sit back for a while. But in future the Algerians would have to be more careful about what they said about direct contacts with Morocco.

3. In Fezzani's view, there was not much doubt that King Hussan's position on a referendum on the future of the disputed territory had hardened. In fact the King was one of the more moderate elements in the Moroccan political spectrum on the Western Sahara issue. The opposition parties were all opposed to a referendum. From that point of view the hardening of the King's attitude served to strengthen his internal political position. Under present circumstances (which we understand to be a reference to the current level of the United States support for Morocco) the King's external

position would be tolerable if he continued to take a tougher line on the implementation of the OAU referendum resolution. The King's position that he supported a referendum, but only of those people who were prepared to return to the towns and villages where they were born, was on the face of it a defensible position.

4. Fezzani thought that Algeria would like to find a way out of the present impasse but it also wished to maintain its position of principle. Algeria insisted that the Western Sahara was a colonial problem but it was not quite that simple as the former colonial power had departed the scene. Algeria argued that Morocco must be brought to recognise Polisario just as France had eventually come to recognise the FLN - but here again he did not believe the two situations were really comparable. In Fezzani's assessment Polisario had lost the initiative and Algeria had now been left to pick up the pieces as best it could.

5. Fezzani thought that the USSR would seek opportunities to ferment trouble in order to enhance the scope for extending their influence in the area. In his view Libya was largely in the hands of the USSR, at least in certain fields. It was logical to assume that the SAM-6 missiles used by Polisario had come from the USSR via Libya but it was unlikely that the USSR had intended that they would have been used against Morocco with whom it enjoyed good relations.

Comment

6. Fezzani's comments suggest a considerable divergence of approach between Tunisia and Algeria on the Western Sahara issue. Tunisia has, of course, all along sought to play an even handed and conciliatory role vis a vis both Algeria and Morocco. But the recent "El Moudjahid" editorial criticising Mzali has clearly stung Tunis. Fezzani's assessment that Hussan is not placed in such a bad position as sometimes tends to be supposed and that, on the contrary, it is Polisario and Algeria who are now finding the going tough in spite of the recent political/military gains is of interest.

935/28/2

CONFIDENTIAL

INFO: IO
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INWARD CABLEGRAM

O.LH25289 AMBR
TOR 07.48 05.02.82

O.LH25289 2042 4.2.82 CLA

TO.
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FM. LONDON / REF O.LH24867

C O N F I D E N T I A L

MOROCCO - ALGERIA - WESTERN SAHARA

IN THE COURSE OF A CONVERSATION, 3 FEBRUARY, DEPUTY HIGH COMMISSIONER ASKED MOBERLY, ASSISTANT UNDER-SECRETARY OF STATE, FCO, WHETHER THE FCO SHARED MOROCCAN VIEWS ON SERIOUSNESS OF SOVIET INVOLVEMENT IN WESTERN SAHARA. MOBERLY REPLIED THAT FOLLOWING A SERIOUS DEFEAT BY MOROCCAN FORCES AT THE HANDS OF THE POLISARIO AND DOUBTS ABOUT WHETHER THE OAU REFERENDUM WOULD GO AHEAD, MOROCCO WAS VERY CONCERNED ABOUT ITS OWN ISOLATED POSITION IN NORTH AFRICA. MOROCCO REGARDED ITSELF AS A BASTION FOR THE WEST IN A ''RED SEA'' OF NORTH AFRICAN MARXIST STATES. MOBERLY SAID, HOWEVER, THAT FCO WERE NOT SO CONCERNED ABOUT MOROCCO'S POSITION. HE WENT ON TO SAY THAT FCO WANTED TO SEE THE MOROCCANS AND ALGERIANS SETTLE THEIR PROBLEMS. HE SAID HE CONSIDERED THE REGIME IN ALGIERS TO BE LESS DOCTRINAIRE AND MORE PRAGMATIC THAN ITS PREDECESSOR AND THAT THE ALGERIANS COULD BE ENCOURAGED TO PLAY A MEDIATORY ROLE IN THE MIDDLE EAST CONTEXT (FOR EXAMPLE BETWEEN IRAN AND IRAQ).

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER — FOREIGN MINISTER — MIN DEFENCE
DEP DEFENCE — DEP P M AND CABINET — JIO

ACTION: AME — JBAE

SEC — DEPSEC-A — DEPSEC-B — DEPSEC-C — PPU
LA — EX — MCO — PA — FAS(SEP) — FAS(NSA)
FAS(EANZ) — EUR — CN — FAS(DN) — NUC — DEF
DPR — FAS(IOAME) — IO — FAS(ECO) — FAS(LT)
FAS(MFS) — FAREP-M — FAREP-P — FAREP-S

✓ACCRA ✓CAIRO ✓DAR ES SALAAM ✓LAGOS ✓LUSAKA ~~MADRID~~ ✓NAIROBI
+ WASHINGTON ~~LONDON~~ MOSCOW ~~BAGHDAD~~ TEHRAN

CONFIDENTIAL

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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ACTION: IO
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INWARD CABLEGRAM

O.PA96768 JAMC
TOR 03.52 04.02.82

O.PA96768 1700 3.2.82 CLA

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FM. PARIS EMB / FILE 226/3/7 REF O.PA94941

R E S T R I C T E D

UNGA 36 : WESTERN SAHARA

FOLLOWING IS OUR TRANSLATION OF A NOTE DATED 15 JANUARY 1982 RECEIVED FROM THE MOROCCAN MFA 3 FEBRUARY.

BEGINS:

THE MINISTRY OF FOREIGN AFFAIRS PRESENT IT COMPLIMENTS TO THE EMBASSY OF AUSTRALIA TO MOROCCO AND WITH REFERENCE TO THE VOTE CAST BY THE DELEGATION OF AUSTRALIA IN THE UNITED NATIONS' GENERAL ASSEMBLY ON THE QUESTION OF THE WESTERN SAHARA, WISHES TO EXPRESS TO THE AUSTRALIAN GOVERNMENT THE GRATITUDE OF THE GOVERNMENT OF HIS MAJESTY THE KING OF MOROCCO FOR THE POSITION, BOTH WISE AND FRIENDLY, IT TOOK IN THIS RESPECT. SUCH AN ATTITUDE IS LIKELY TO REINFORCE THE CHANCES OF PEACE AND UNDERSTANDING IN THE NORTH WEST SUB REGION OF AFRICA. ?

ENDS.

2. WE HAVE ACKNOWLEDGED THE NOTE, WITH THANKS BUT NO FURTHER COMMENT.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER
DEP DEFENCE

FOREIGN MINISTER
DEP P M AND CABINET

MIN DEFENCE
JIO

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DEPARTMENT OF FOREIGN AFFAIRS
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CAIRO JEDDAH LONDON MOSCOW NAIROBI WASHINGTON

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DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INFO: IO
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INWARD CABLEGRAM

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TOR 08.48 30.01.82

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FM. LONDON /

C O N F I D E N T I A L

SAHARAN QUESTION

DURING A COURTESY CALL ON THE HIGH COMMISSIONER TODAY 29 JANUARY THE RECENTLY ARRIVED MOROCCAN AMBASSADOR SAID HE REGARDED HIS MAIN TASK IN LONDON AS BEING THE DISSEMINATION OF HIS GOVERNMENTS VIEWS ON THE SAHARAN QUESTION.

2. HE MAINTAINED FORCEFULLY THAT THE SOVIET UNION WAS NOW BECOMING MORE DEEPLY INVOLVED IN THE DISPUTE, THAT THEY WERE SUPPLYING THE ALGERIANS WITH TANKS AND SAM MISSILES, AND THAT THE WEST SHOULD THEREFORE HAVE A GREATER CONCERN IN THE MATTER. HE SAID HE WAS FINDING IT DIFFICULT TO AROUSE THE BRITISH GOVERNMENT TO THE PROBLEM. THE LINE HE WAS TAKING WITH THEM WAS THAT, WHILE HE COULD UNDERSTAND THE BRITISH WISH TO REMAIN NEUTRAL BETWEEN ALGERIA AND MOROCCO, HE FELT THAT THE SOVIET ELEMENT SURELY MERITED MORE ATTENTION. HE EMPHASIZED THE SUPPORT MOROCCO WAS GIVING TO EGYPT AND MIDDLE EAST PEACE EFFORTS.

3. WE SHALL SEEK A BRITISH ASSESSMENT AT A SUITABLE OPPORTUNITY.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER	FOREIGN MINISTER	MIN DEFENCE
DEP DEFENCE	DEP P M AND CABINET	JIO

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CONFIDENTIAL

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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INFO: IO
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ACTION: AME JAE

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FAS(MFS) FAREP-M FAREP-P FAREP-S
DIR-ADAB

✓ACCRA ✓CAIRO ?~~GENEVA~~ ?~~JEDDAH~~ ✓LAGOS ~~LUSAKA~~ ?~~MADRID~~ ✓MOSCOW
✓UN NEW YORK ✓WASHINGTON

+BB Nairobi Dar Es Salaam

CONFIDENTIAL

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

29/1/82

John,

A good item report which I will ack. ✓

Para 9 & 12 confirm correctness of our decision not to back the Algerians.

Para 10 points out that Morocco bowed out because it was outmanoeuvred.

We could ask addressee posts & NY to keep us fully informed re Implementation & their progress in 1982 – though from recent indications King Hassan (& the Americans) intend to fight on. In this case we may need, having given Morocco the benefit of the doubt, to re-assess our position for UNGA 37.

I will send copies of memo & attachments to other relevant African posts (Lagos, Accra, Cairo & Dar) & London (& Geneva.)

Do you have McKeown's saw/grams from Lake last year, lamenting our change in vote, to which we were thinking of replying?

Ben. Do you recall what he was on about?

935/28/2 INFO: IO
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INWARD CABLEGRAM

O.NA15075 WJKI
TOR 20.17 28.01.82

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TO.
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RR LAGOS/743 DAR ES SALAAM/982 ALGIERS/047
RR ACCRA/397 CAIRO/362 SALISBURY/230
RR LUSAKA/116

FM. NAIROBI / FILE 235/1

U N C L A S S I F I E D

OAU : CHAD, WESTERN SAHARA

FOLLOWING A MEETING IN NAIROBI BETWEEN KENYAN FOREIGN MINISTER OUKO, AND HEADS OF AFRICAN MISSIONS, OUKO ANNOUNCED DATES FOR FORTHCOMING OAU MEETINGS IN NAIROBI ON WESTERN SAHARA AND CHAD.

2. FROM 6-7 FEBRUARY, THERE WILL BE AN INFORMAL MEETING OF FOREIGN MINISTERS OF THE IMPLEMENTATION COMMITTEE ON THE WESTERN SAHARA FOLLOWED BY THE MEETING FROM 8-9 FEBRUARY OF HEADS OF STATE WHO ARE MEMBERS OF THE COMMITTEE.

3. A MEETING AT HEAD OF STATE LEVEL OS ALL MEMBERS OF THE STANDING COMMITTEE ON CHAD, OF COUNTRIES WITH TROOPS PARTICIPATING IN THE OAU PEACEKEEPING FORCE IN CHAD AS WELL AS COUNTRIES WHICH HAVE DESPATCHED OBSERVER FORCES TO CHAD WILL BE HELD IN NAIROBI FROM 10-11 FEBRUARY.

ACTION: FOREIGN AFFAIRS
ONA

PRIME MINISTER FOREIGN MINISTER MIN DEFENCE
DEP DEFENCE DEP P M AND CABINET JIO

ACTION: AME JCAA

SEC DEPSEC-A DEPSEC-B DEPSEC-C PPU
LA EX MCO PA FAS(SEP) FAS(NSA)
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LONDON MOSCOW PEKING PRETORIA UN NEW YORK

DEPARTMENT OF FOREIGN AFFAIRS
DIPLOMATIC COMMUNICATIONS NETWORK

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FOREIGN AFFAIRS

RESTRICTED

CENTRAL REGISTRY D.F.A. JAN 20 9 11 AM 82 INWARDS

DATE. 20 January 1982

INFORMATION.

IN REPLY QUOTE: M.UN 8154

REGISTRY CODE:

TO. CANBERRA

PARIS EMB.
ALGIERS
NAIROBI

REF. M.

TO FILE. 935/28/2

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CLASSIFICATION. RESTRICTED

FM. FILE. 103/3/4;412/1

POST SEQUENCE NUMBER: 7160

SUBJECT. UNGA 36 : FOURTH COMMITTEE : ITEM 19 - QUESTION OF WESTERN SAHARA

ENCLOSURES ATTACHED

The question of Western Sahara produced heated debate and reflected the endemic rivalry between Algeria and Morocco. A draft resolution prepared by Algeria was adopted but by a reduced margin of votes than was the case at UNGA 35. A moderate and briefly worded decision put together by Kenya (but not as Chairman of the Organisation of African Unity) was adopted without a vote. In the course of Fourth Committee consideration of this question Morocco did table a draft of its own but subsequently withdrew this after it learnt that Kenya would be proceeding with its text.

Background

2. In the course of the Eighteenth Ordinary Session of the Assembly of Heads of State and Government of the OAU which met in Nairobi between 24-27 June, the King of Morocco was reported as announcing that he was prepared to agree to a cease-fire in Western Sahara and to a referendum held under international supervision. The OAU Session agreed to a resolution which, inter alia : welcomed the commitment of the King; set up an Implementation Committee comprising Guinea, Kenya, Mali, Nigeria, Sierra Leone, Sudan, and the United Republic of Tanzania to ensure, in co-operation with the concerned parties, impelementation of the recommendations of the Ad Hoc Committee; urged the parties to the conflict to observe an immediate ceasefire and called upon the Implementation Committee to ensure observance of the ceasefire without delay; and directed the Implementation Committee to meet before the end of August 1981 to work out modalities relevant to the implementation of the ceasefire and the holding of the referendum.

RESTRICTED

The OAU Implementation Committee duly met in Nairobi from 24-26 August 1981 and adopted a decision whereby :

(a) A referendum pertaining to self-determination would be held in the Western Sahara

(b) The people of the Territory would be given a choice between independence or integration with Morocco

(c) The referendum would be organised and conducted by the Implementation Committee in collaboration with the UN

(d) It urged the parties in conflict to agree on a ceasefire through negotiations and to confine their troops to their bases in conformity with the recommendations of the Fifth Session of the Ad Hoc Committee of Heads of State on Western Sahara held in Freetown from 9-11 September 1980

(e) All the parties as well as neighbouring countries undertook to respect the results of the referendum.

Debate

4. In contrast to UNGA 35, Morocco did not attempt to "stack" the list of petitioners with speakers sympathetic to its views. The principal statements were delivered by :

- Association des Amis de la Republique Arabe Sahraouie Democratique (Jallaud) which, in defending the struggles of the Frente Polisario, accused Morocco of reneging on the obligations it had assumed under international pressure (a reference to the support for a referendum). Morocco's aim was to gain time without intending to fulfil its obligations.

- Frente Polisario (Mokhtar) which asserted that despite the military might deployed by Morocco the Moroccan army had been routed time and again and that the forces of the Frente Polisario now controlled 90 per cent of the Territory. Moreover, more than 50 countries now recognised the Saharan Arab Democratic Republic, including 26 African countries. Yet, despite the decisions of the OAU and the Implementation Committee, Morocco was delaying and endeavouring to apply a policy of military fait accompli while denying the realities of the situation. The international community, according to Polisario, should assume its responsibilities and recognise the falsity of Morocco's accusations. While the UN and the OAU had reaffirmed the legitimacy of the struggle of the Saharan people led by Polisario, it was necessary for both organs to make Morocco comply with their respective resolutions.

Sudan (a member of the Implementation Committee) which, in a measured statement, said that the Implementation Committee had laid a sound basis for solving the problem of the Western Sahara. Sudan requested all parties to the conflict to accept and implement the decisions of the OAU and its Implementation Committee and expressed the hope that the General Assembly would not take any action which might undermine the efforts of the OAU.

- Mali (member of Implementation Committee) which commented that the decision of the Implementation Committee was clear and precise and had been accepted by all the interested parties. Thus it should be implemented faithfully and speedily.

- Algeria (Bedjaoui) which claimed that the true cause of the conflict in the Western Sahara was Morocco's refusal to grant the legitimate right of self-determination to the people concerned, under the direction of Polisario. The OAU's proposals for a settlement of the conflict had been frustrated by a lack of political will, failure to meet commitments, ambiguous statements, and unilateral interpretations. Recent clashes between Moroccan and Saharan forces merely confirmed the need for a ceasefire between the two belligerents, that is, Morocco and the Frente Polisario. There was no alternative to the negotiation of a cease-fire. The UN's efforts would only be useful if it could guarantee the people of Western Sahara their right to self-determination and if it collaborated with the OAU in organising and conducting the referendum.

- Morocco (Ambassador Zentar) which emphasised that, in taking the initiative for the organisation of a referendum on self-determination in a Moroccan territory, it wished to leave no doubt regarding its conviction as to the legitimacy of its rights and the validity of the process which had already been completed in the Sahara in conformity with the international rules on decolonisation recognised by the United Nations.

5. Regarding Morocco's initiative for the organisation of a self-determination referendum the OAU and its Implementation Committee had established a plan of action which was consistent with UN rules and modalities. Since the OAU, especially under Article 33 of the Charter, had assumed its full responsibilities as a regional organisation Africa no longer needed any further UN resolutions dealing with the substance of the question of Western Sahara.

6. Piecemeal efforts made outside an African consensus would undermine the authority of the African Heads of State, the credibility of the OAU and the prestige of Africa as a whole.

Consequently, Morocco appealed to all members of the Fourth Committee, particularly States members of the OAU, to support OAU efforts to implement the decisions taken. Morocco, for its part, declared it would spare no effort to that end.

Resolutions

7. The draft resolution initiated by Algeria (in close consultation with the Frente Polisario) was a more moderately worded text than the ones it has presented in recent years. Even so the draft did contain several contentious elements which were contained in operative paragraphs 5 and 6 wherein the references to an appeal to the two parties to the conflict to observe a ceasefire and enter into negotiations made specific mention of the Frente Polisario. This, Morocco was quick to point out, went beyond the terms of what had been spelt out in the decisions of the OAU and its Implementation Committee. The OAU, because of the sensitivities involved, had been careful not to spell out the parties to the conflict in the Western Sahara. From Morocco's point of view it was preferable to retain a certain ambiguity in any resolution drafted since it would then be possible to interpet the parties in conflict to include Algeria.

8. In discussions with us and other delegations Morocco's position was that it hoped that any resolution finally adopted by the Fourth Committee would be by consensus and that it would take full account of the OAU's decisions in June and August. In tabling its own draft resolution (A/C.4/36/L.2) Morocco sought to counter the Algerian text with its specific references to Polisario. At the same time Morocco held consultations with the members of the OAU Implementation Committee to see if it (the Committee) could produce a draft resolution on the Western Sahara capable of being adopted by consensus. If this occurred Morocco would withdraw its text.

9. As it turned out the deliberations of the Implementation Committee proved inconclusive although Kenya, as the Chairman of the OAU, was active in trying to persuade members of the Committee to concert and to produce a draft which would be acceptable to all parties and which would be the sole text on the Western Sahara. In this connection Moi wrote to the King of Morocco and to the President of Algeria asking them both not to insist on their draft resolutions. Algeria, however, was not willing to give ground although Morocco was prepared to do so.

10. In part Morocco's demonstration of conciliation and flexibility stemmed from the fact that it was fully aware that any draft it left on the table could be so amended by Algeria and its supporters that it would give a contrary meaning to that originally intended. This, indeed, transpired. On 28 October, six days after Morocco's text had been tabled, Algeria, Angola, Burundi, Madagascar, Mozambique, Sao Tome and Principe, Seychelles Cape Verde and Nicaragua (a gathering

of mostly radical countries) moved amendments to Morocco's L.2. These changes made direct mention of the statement by Polisario on Western Sahara; reaffirmed the inalienable right to self-determination and independence as contained in 1514 (XV); took note of and welcomed the organisation of a "general and free self-determination referendum" (the original text had spoken only of "a self-determination referendum"); and requested the Committee of 24 to continue to consider the situation in Western Sahara. Understandably, in the light of these changes, Morocco withdrew its draft.

11. In the meantime, even though Kenya was not able to prevail upon the Implementation Committee to table a text it decided to present one of its own accord (A/C.4/36/L.19).

12. Among Western countries which had voted for the Algerian draft in recent years (Australia, Austria, Finland, Sweden) there was a strong inclination to give Morocco an opportunity to show its sincere commitment to a peaceful solution in the Western Sahara. In addition there was a perception that Algeria was being obstinate and was not prepared to make any concessions on its text. These perceptions had been confirmed when the Algerian Ambassador (Bedjaoui) had brusquely turned aside approaches from Sweden and Austria to discuss possible amendments to the Algerian draft which might have enabled both these countries to record a vote for the resolution. Consequently, the Western countries which had formerly supported Algeria decided to abstain.

Cosponsors

13. The Algerian draft was cosponsored by : Afghanistan, Algeria, Angola, Barbados, Belize, Benin, Botswana, Burundi, Cape Verde, Chad, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Ethiopia, Ghana, Grenada, Guinea-Bissau, Guyana, Iran, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Mozambique, Nicaragua, Panama, Rwanda, Saint Lucia, Sao Tome and Principe, Seychelles, Swaziland, Togo, Trinidad and Tobago, Uganda, Vanuatu, Vietnam, Yugoslavia, Zambia, Zimbabwe.

Voting

14. In the Fourth Committee Algeria's draft resolution was adopted by 73-7-54 (Australia). This was a large drop in support from its 88-6-44 showing at UNGA 35. One point of note was that only three of the Implementation Committee members (Mali, Sierra Leone, Tanzania) voted for the resolution while the other four members abstained (Guinea, Kenya, Nigeria, Sudan). This indicated that the latter were not attracted to the tough line taken by Algeria on this issue. The Kenyan draft was adopted by consensus.

Plenary

15. In advance of the vote in Plenary, Bedjaoui approached the four Western countries which had previously voted for the Algerian text to see if they might either change their vote or not participate in it. These approaches were to no avail. In the vote Algeria marginally improved to record a 76-9-57 (Australia) result but, again, this was well down on the 88-8-43 vote at UNGA 35. Plenary adopted the Kenyan draft by consensus.

Conclusion

16. While Morocco was not successful in blocking the Algerian resolution it can take a measure of satisfaction in seeing a much-reduced vote for what was a relatively moderate text. The large number of abstentions indicated that many countries were prepared to give Morocco the benefit of the doubt and to give it a chance to prove that it has a genuine commitment to the decisions of the OAU.

Kenneth Chan

(Kenneth Chan)
First Secretary

Documents :

A/36/23 (Part V), Chapter IX - Report of Committee of 24

Attached: A/36/512 - Letter from Kenya (as OAU Chairman) containing decisions of OAU on Western Sahara

A/C.4/36/L.2 - Moroccan draft resolution + Algerian amendment

A/RES/36/46 - Algerian resolution as adopted + voting record

A/DECISION/36/406 - Kenyan decision as adopted by consensus

UNITED NATIONS

GENERAL ASSEMBLY / SECURITY COUNCIL

AS

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GENERAL

A/36/512
S/14692
16 September 1981
ENGLISH
ORIGINAL: ARABIC/ENGLISH/FRENCH

GENERAL ASSEMBLY
Thirty-sixth session
Item 19 of the provisional agenda*
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

SECURITY COUNCIL
Thirty-sixth year

Letter dated 14 September 1981 from the Permanent Representative of Kenya to the United Nations addressed to the Secretary-General

I have the honour to request you to circulate, as an official document of the General Assembly, under item 19 of the provisional agenda, and of the Security Council, the attached decision No. AHG/IMP.C/WS/DEC.1 (1) adopted by the Implementation Committee on Western Sahara of the Organization of African Unity at its first ordinary session, held at Nairobi from 24 to 26 August 1981.

(Signed) Charles Gatere MAINA
Permanent Representative of Kenya
and Representative of
the Organization of African Unity

* A/36/150

ANNEX

DECISION OF THE OAU IMPLEMENTATION COMMITTEE
ON WESTERN SAHARA

The OAU Implementation Committee on Western Sahara, meeting in its First Session in Nairobi from 24 to 26 August 1981, pursuant to Res.AHG/Res.103 (XVIII),

Having heard the concerned and interested parties;

Having taken into consideration the results of the consultations held by the Ministers for Foreign Affairs of the countries, members of the Implementation Committee;

Taking note of the views expressed by the various delegations of the Implementation Committee;

Expressing satisfaction at the positive participation of the parties to the conflict;

Conscious of the need for all the parties concerned to cooperate for the successful implementation of Resolution AHG/Res.103 (XVIII), of the Eighteenth Ordinary Session of the Assembly of OAU Heads of State and Government, held in Nairobi, so as to attain the objectives laid down in the resolution and make the parties concerned agree on the steps to be taken in the context of that resolution;

Taking into consideration the need for the United Nations to participate in the Referendum and Cease-fire by virtue of resolution AHG/Res.103 (XVIII), adopted by the Eighteenth Ordinary Session of the Assembly of OAU Heads of State and Government, held in Nairobi, in June 1981 :

/...

DECIDES to organise and conduct a general and free Referendum in the Western Sahara, establish and maintain the Cease-fire, as follows :

a) Referendum

I. The Referendum shall be one of self-determination which will enable the people of Western Sahara to express themselves freely and democratically on the future of their territory.

II. The Referendum shall be held in the Western Sahara (ex-Spanish Sahara) the maps of which were deposited with the United Nations.

III. All Saharawis listed in the Census conducted in 1974 by the Spanish authorities who have attained the age of 18 or above, shall be eligible to vote in the Referendum. In determining the Saharawi refugee population in the neighbouring countries, reference should be made to the records of the UNHCR. In establishing the population of the Western Sahara, account shall be taken of the internationally-recognised rate of population growth.

IV. The voting shall be by secret ballot on the basis of one person one vote.

V. The people of the Western Sahara shall be given the following choice :

(a) Independence, or

(b) Integration with Morocco.

/...

b) Structural Requirements

I. The referendum shall be organised and conducted by the Implementation Committee in collaboration with the U.N.

II. For a fair and impartial organisation of the Referendum, an impartial Interim Administration supported by Civilian, Military and Police components shall be set up.

III. The Interim Administration shall work in collaboration with existing administrative structures in the area.

IV. The Interim Administration shall also be assisted by an adequate number of O.A.U. and/or U.N. Peace-keeping Force.

c) Cease-Fire

I. The Committee urges the parties in conflict to agree on a cease-fire through negotiations under the auspices of the Implementation Committee.

II. All the parties concerned shall undertake to respect the cease-fire and maintain it after the proclamation of the date fixed by the Implementation Committee.

III. For the fair conduct of the Referendum and the strict observance of the Cease-fire, troops of the parties to the conflict should be effectively confined to their bases in conformity with the recommendations of the Fifth Session of the Ad Hoc Committee of Heads of State on Western Sahara held in Freetown, Sierra Leone, from 9 to 11 September, 1980.

IV. The Peace-keeping Forces shall be stationed in the area so as to guarantee the cease-fire.

/...

d) Financing of the Implementation of the Decision

The O.A.U. Current Chairman shall consult the U.N. in order to determine the U.N. involvement in the implementation of this decision including its financing.

e) General Principles

I. All the parties undertake to respect the results of the Referendum.

II. Neighbouring countries undertake to respect the results of the Referendum and to abstain from interfering in the internal affairs of other countries.

III. The Implementation Committee shall announce the results of the Referendum.

(a) Draft resolution A/C.4/36/L.2 submitted by Morocco, Senegal and Zaire, which read as follows:

"The General Assembly,

"Having considered the question of Western Sahara,

"Recalling its resolution 1514 (XV) 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples and its resolution 1541 (XV) of 15 December 1960,

"Recalling also its resolutions relating to the question of Western Sahara,

"Taking account of the resolution on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 2/

"Also taking account of the decision adopted by the Implementation Committee on Western Sahara of the Organization of African Unity at its first ordinary session at Nairobi held from 24 to 26 August 1981, 3/

"Considering the statements made to the General Assembly giving very broad support to the decisions of the Organization of African Unity and to the Implementation Committee in fulfilling its mandate,

"Taking note of the report of the Secretary-General on the question of Western Sahara, 4/

"Recalling its resolution 35/117 of 10 December 1980 on co-operation between the United Nations and the Organization of African Unity;

"1. Takes note of and welcomes the resolution on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session concerning the organization of a self-determination referendum in Western Sahara;

2/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

3/ See A/36/512-S/14692, annex.

4/ A/36/602.

/...

"2. Also takes note of the decision of the Implementation Committee on Western Sahara established by the Organization of African Unity determining the conditions of the cease-fire and the modalities for organizing and conducting the referendum;

"3. Welcomes the readiness of all parties to co-operate fully with the Implementation Committee;

"4. Authorizes the Secretary-General to give all necessary assistance to the Implementation Committee in carrying out its mandate;

"5. Invites the Secretary-General to report on this question to the General Assembly and the Security Council."

12. At the 15th meeting, on 28 October, the Chairman drew attention to amendments (A/C.4/36/L.6) to draft resolution A/C.4/36/L.2, submitted by Algeria, Angola, Burundi, Madagascar, Mozambique, Sao Tome and Principe and Seychelles, subsequently joined by Cape Verde and Nicaragua, by which:

(a) The sixth preambular paragraph would be replaced by the following:

"Considering the statements made on the question of Western Sahara, in particular the statements of Morocco and of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, giving very broad support to the decisions of the Organization of African Unity and to the Implementation Committee in fulfilling its mandate;".

(b) The following paragraph would be inserted as operative paragraph 1 and the remaining paragraphs would be renumbered:

"1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;".

(c) Former operative paragraph 1, now renumbered as operative paragraph 2, would be replaced by the following:

"2. Takes note of and welcomes the resolution on the question of Western Sahara adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session concerning the organization of a general and free self-determination referendum of the people of Western Sahara;".

/...

(d) Former operative paragraph 4, now renumbered as operative paragraph 5, would be replaced by the following:

"5. Requests the Secretary-General to co-operate fully with the Organization of African Unity in carrying out the decisions of its Implementation Committee;"

(e) The following new paragraph would be added as operative paragraph 7:

"7. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-seventh session;".

36/46. Question of Western Sahara*

Date: 24 November 1981 Meeting: 70
Vote: 76-9-57 (recorded) Report: A/36/677

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 35/19 of 11 November 1980 on the question of Western Sahara,

Having considered the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Having heard the statements made on the question of Western Sahara, in particular the statements of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, 2/

Recalling its resolution 35/117 of 10 December 1980 on co-operation between the United Nations and the Organization of African Unity,

Taking note of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and free referendum of the people of Western Sahara on self-determination, 3/

Taking note of the decision adopted by the Implementation Committee on Western Sahara of the Organization of African Unity at its first ordinary session, held at Nairobi from 24 to 26 August 1981, concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future, 4/

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), as well as the relevant resolutions of the General Assembly and the Organization of African Unity;

2. Welcomes the efforts made by the Organization of African Unity and its Implementation Committee on Western Sahara with a view to promoting a just and definitive solution to the question of Western Sahara;

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* See also decision 36/406 in part IX of this release.

1/ A/36/23 (part V), chap. IX.

2/ See A/C.4/36/SR.15, paras. 21-26, and A/C.4/36/SR.19, paras. 3-5.

3/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

4/ See A/36/512-S/14692, annex.

3. Takes notes of the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session to organize throughout the Territory of Western Sahara a general and free referendum of the people of Western Sahara on self-determination;

4. Welcomes the steps taken by the Implementation Committee with a view to organizing and conducting the referendum;

5. Appeals to the two parties to the conflict, Morocco and the Frente Popular para la Liberación de Sanguia el-Hamra y de Río de Oro, to observe a cease-fire in accordance with the decisions of the Organization of African Unity and its Implementation Committee;

6. Urges, to that end, Morocco and the Frente Popular para la Liberación de Sanguia el-Hamra y de Río de Oro to enter into negotiations with a view to establishing an immediate cease-fire and concluding a peace agreement permitting the fair conduct of a general, free and regular referendum on self-determination in Western Sahara;

7. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;

8. Requests, to that end, the Secretary-General to take the necessary steps to ensure that the United Nations participates in the organization and conduct of the referendum, and to report to the General Assembly and the Security Council on this subject, and on the measures requiring a decision by the Council;

9. Urgently requests the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the decisions of the Assembly of Heads of State and Government of the Organization of African Unity and of its Implementation Committee, and of the present resolution;

10. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-seventh session.

RECORDED VOTE ON RESOLUTION 36/46:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussia, Cape Verde, Chad, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, Fiji, German Democratic Republic, Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Haiti, Hungary, India, Iran, Jamaica, Lao People's Democratic Republic, Lesotho, Liberia, Libya, Madagascar, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Panama, Peru, Poland, Rwanda, Saint Lucia, Saint Vincent, Sao Tome and Principe, Seychelles, Suriname, Swaziland, Syria, Togo, Trinidad and Tobago, Uganda, Ukraine, USSR, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Central African Republic, Chile, El Salvador, Equatorial Guinea, Gabon, Morocco, Senegal, United States, Zaire.

Abstaining: Australia, Austria, Bahrain, Belgium, Bolivia, Burma, Canada, Colombia, Comoros, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Egypt, Finland, France, Gambia, Federal Republic of Germany, Guatemala, Guinea, Honduras, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Luxembourg, Malawi, Malaysia, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Sierra Leone, Solomon Islands, Somalia, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, United Kingdom, United Republic of Cameroon, Uruguay.

Absent: Antigua and Barbuda, China, Dominica, Iraq, Ivory Coast, Kuwait, Papua New Guinea, Romania, Samoa, Singapore, Sri Lanka, United Arab Emirates, Upper Volta, Yemen.

F-UN-836/2

rth Committee (AM)

Press Release GA/T/2364
9 November 1981

ANNEX I

Vote on Draft Resolution on Western Sahara

The Fourth Committee (Decolonization) this morning adopted the revised draft resolution on Western Sahara (document A/C.4/36/L.3/Rev.1) by a recorded vote of 73 in favour to 7 against, with 54 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussia, Cape Verde, Chad, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, Fiji, German Democratic Republic, Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Haiti, Hungary, India, Iran, Jamaica, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Panama, Peru, Poland, Rwanda, Saint Lucia, Sao Tome and Principe, Seychelles, Sierra Leone, Singapore, Sri Lanka, Suriname, Swaziland, Syria, Togo, Trinidad and Tobago, Uganda, Ukraine, USSR, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: El Salvador, Equatorial Guinea, Gabon, Morocco, Senegal, United States, Zaire.

Abstaining: Australia, Austria, Bahamas, Bahrain, Belgium, Bolivia, Burma, Canada, Central African Republic, Chile, Colombia, Comoros, Denmark, Dominican Republic, Egypt, Finland, France, Gambia, Federal Republic of Germany, Guatemala, Guinea, Honduras, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Luxembourg, Malawi, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Tunisia, United Kingdom, United Republic of Cameroon, Uruguay.

Absent: China, Democratic Kampuchea, Djibouti, Dominica, Iraq, Ivory Coast, Kuwait, Liberia, Malaysia, Maldives, Malta, Mauritius, Papua New Guinea, Romania, Saint Vincent, Samoa, Solomon Islands, Turkey, United Arab Emirates, Upper Volta, Yemen.

(END OF ANNEX I)

ENDS

* * *

21. The Fourth Committee also recommends to the General Assembly the adoption of the following draft decision:

Question of Western Sahara

The General Assembly, taking account of the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 14/ by which it decided, inter alia, to establish an Implementation Committee on Western Sahara, and the decision adopted by the Implementation Committee at its first ordinary session, held at Nairobi from 24 to 26 August 1981, 15/ requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate regarding the question of Western Sahara arising from the above resolution and decision and to report thereon to the Assembly and the Security Council, as appropriate.

14/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

15/ See A/36/512-S/14692, annex.

935/28/2

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